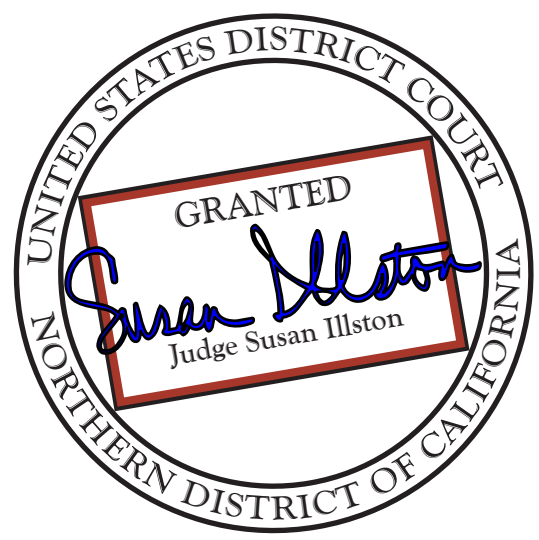


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 6 GENENTECH, INC.



7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 GENENTECH, INC., as Plan
 11 Administrator of The Genentech, Inc. Tax
 Reduction Investment Plan,

12 Plaintiff,

13 v.

14 KINFONG SIT, MEE WAI CHIU, and
 15 AYUMI NAKAMOTO,

16 Defendants.

Case No. 3:12-cv-05077-SI
 (Related Case No. 3:12-cv-04864-SI)

**STIPULATION OF DISMISSAL OF
 INTERPLEADER ACTION WITH
 PREJUDICE**

Fed. R. Civ. P. 41(a)(1)(A)(ii)

17
 18 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Genentech, Inc. and
 19 Defendants Kinfong Sit, Mee Wai Chiu and Ayumi Nakamoto, by their respective counsel,
 20 having already stipulated to dismissal of the entire action (including the Sit Action, Case
 21 No. 3:12-cv-05077-SI) (Dkt. No. 71), further specifically stipulate and agree to dismiss the
 22 Interpleader Action (Case No. 3:12-cv-04864-SI) with prejudice, with each party to bear its own
 23 costs and attorneys' fees.

24 IT IS SO STIPULATED

25 Dated: June 13, 2013

 /s/ Nicole A. Diller
 Nicole A. Diller, SBN 154842
 MORGAN, LEWIS & BOCKIUS LLP
 Attorneys for Plaintiff
 GENENTECH, INC.

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Dated: June 13, 2013

/s/ Wendell H. Goddard
Wendell H. Goddard, SBN 65944
GODDARD LAW OFFICES
Attorneys for Defendants
KINFONG SIT and MEE WAI CHIU

Dated: June 13, 2013

/s/ Suzan Yee
Suzan Yee, SBN 88418
TSAO-WU, CHOW & YEE LLP
Attorneys for Defendant
AYUMI NAKAMOTO

ATTESTATION

I, Nicole A. Diller, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Wendell H. Goddard and Susan Yee concurred in this filing. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 13th day of June 2013, at San Francisco, CA.

/s/ Nicole A. Diller
Nicole A. Diller