

1 Sterling A. Brennan (CA State Bar No. 126019)  
sbrennan@mabr.com  
2 L. Rex Sears (Admitted *Pro Hac Vice*)  
rsears@mabr.com  
3 Jared J. Braithwaite (CA State Bar No. 288642)  
jbraithwaite@mabr.com  
4 MASCHOFF BRENNAN  
20 Pacifica, Suite 1130  
5 Irvine, California 92618  
Telephone: (949) 202-1900  
6 Facsimile: (949) 453-1104

7 Attorneys for Defendant and Counterclaimant NOVELL, INC.

8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 BASCOM RESEARCH, LLC, a Virginia  
12 Limited Liability Company,  
13 Plaintiff,  
14 v.  
15 NOVELL, INC., a Delaware Corporation,  
16 Defendant.

Case No.: 3:12-cv-06295-SI  
Judge Susan Illston  
Courtroom No. 10

**STIPULATED MOTION FOR  
DISMISSAL WITH PREJUDICE AND  
[PROPOSED] ORDER**

Complaint Filed: October 3, 2012  
Trial Date: Not Assigned

1 Plaintiff and counterdefendant Bascom Research, LLC and defendant and  
2 counterclaimant Novell, Inc. pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby jointly move the  
3 above-entitled Court for an order dismissing all claims and counterclaims in the above-entitled  
4 action as between them WITH PREJUDICE, subject to the terms of that certain agreement dated  
5 July 15, 2013, with each party to bear its own costs, expenses, and attorneys' fees.

6 DATED: July 18, 2013

Respectfully submitted,

7 /s/ L. Rex Sears

8 Sterling A. Brennan (CA Bar No. 126019)

*sbrennan@mabr.com*

9 L. Rex Sears (*admitted pro hac vice*)

*rsears@mabr.com*

10 Jared J. Braithwaite (CA Bar No. 288642)

*jbraithwaite@mabr.com*

11 MASCHOFF BRENNAN

20 Pacifica, Suite 1130

12 Irvine, CA 92618

13 Telephone: (949) 242-1900

14 Facsimile: (949) 453-1104

Attorneys for Defendant and  
Counterclaimant NOVELL, INC.

15 DATED: July 18, 2013

/s/ Lisa Kobialka

16 Paul Andre (CA Bar No. 196585)

*pandre@kramerlevin.com*

17 Lisa Kobialka (CA State Bar No. 191404)

*lkobialka@kramerlevin.com*

18 James Hannah (CA Bar No. 237978)

*jhannah@kramerlevin.com*

19 KRAMER LEVIN NAFTALIS & FRANKEL LLP

990 Marsh Road

20 Menlo Park, California 94025

21 Telephone: (650) 752-1700

22 Facsimile: (650) 752-1800

Attorneys for Plaintiff and  
Counterdefendant BASCOM RESEARCH, LLC

23 I attest that I have confirmation that counsel for Bascom Research, LLC concur in the filing of  
24 this document.

/s/ L. Rex Sears

25 L. Rex Sears

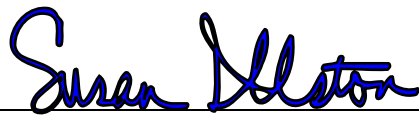
1 **[PROPOSED] ORDER**

2 CAME ON THIS DAY for consideration of the “Stipulated Motion for Dismissal with  
3 Prejudice” (“Stipulated Motion”) of all claims and counterclaims asserted between plaintiff and  
4 counterdefendant Bascom Research, LLC (“Bascom”) and defendant and counterclaimant  
5 Novell, Inc. (“Novell”) in the above-entitled action (the “Action”), and the Court being of the  
6 opinion that the Stipulated Motion should be GRANTED,

7 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as  
8 follows:

- 9 1. All claims and counterclaims asserted in the Action between Bascom and Novell  
10 are hereby dismissed in their entirety with prejudice, subject to the terms of that certain  
11 agreement dated July 15, 2013 (“Agreement”);
- 12 2. All attorneys’ fees and costs are to be borne by the party that incurred them; and
- 13 3. This Court shall retain jurisdiction to enforce the Agreement.

14  
15 DATED: 7/18/13 \_\_\_\_\_

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18 Hon. Judge Susan Illston  
19 United States District Judge  
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