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 13 **IN THE UNITED STATES DISTRICT COURT**
 14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

16
 17 HÄSTENS SÄNGAR AB,
 18 Plaintiff/Counter-Defendant,
 19 v.
 20 E.S. KLUFT & COMPANY, INC., a
 21 Delaware Corporation; and
 KLUFT IPCO, LLC, a Delaware Limited
 Liability Company,
 22 Defendants/Counterclaimants.

Case No.: 3:17-cv-01772-JD

**STIPULATION AND ~~PROPOSED~~
 ORDER OF DISMISSAL WITHOUT
 PREJUDICE**

Hon. James Donato
 United States District Court Judge

23
 24 AND RELATED COUNTERCLAIM
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1 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, and in accordance with a
2 settlement reached by and between the Parties to the above-entitled action, which is reflected in a
3 confidential written settlement agreement, Plaintiff and Counter-Defendant Hästens Sängar AB
4 and Defendants and Counterclaimants E.S. Klufft & Company, Inc. and Klufft IPCO, LLC (the
5 “Parties”), by and through their respective counsel of record, hereby stipulate and agree that the
6 above-entitled action shall be, and hereby is, DISMISSED WITHOUT PREJUDICE in its
7 entirety, including the Counterclaim. Each of the Parties shall bear its own attorneys’ fees and
8 costs.

9 The Court shall retain jurisdiction to enforce the Parties’ settlement.

10 **IT IS SO STIPULATED.**

11 Respectfully submitted,

12 Dated: December 4, 2017

NIXON PEABODY LLP

13 /s/ Robert A. Weikert

14 Robert A. Weikert
15 Attorneys for Plaintiff and Counter-Defendant
Hästens Sängar AB

16 GREENBERG TRAURIG, LLP

17 Dated: December 4, 2017

18 /s/ Nicholas A. Brown

19 Nicholas A. Brown, Esq.
20 Attorneys for Defendants and Counterclaimants
E.S. Klufft & Company, Inc. and
Klufft IPCO, LLC

21 **SIGNATURE ATTESTATION**

22 Pursuant to Civ. L.R. 5-1(i), I hereby attest that all other signatories listed, and on whose
23 behalf the filing is submitted, concur in this document’s content and have authorized the filing of
24 this document with the use of their electronic signature.

25 DATED: December 4, 2017

NIXON PEABODY LLP

26 /s/ Robert A. Weikert

27 Robert A. Weikert
28 Attorneys for Plaintiff
Hästens Sängar AB

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ORDER

Plaintiff and Counter-Defendant Hästens Sängar AB and Defendants and Counterclaimants E.S. Kluft & Company, Inc. and Kluft IPCO, LLC, being all of the parties of record in this action, having reached a settlement which is reflected in a confidential written settlement agreement, and having stipulated by and through their respective counsel of record, and the Court having accepted the stipulation of the parties,

IT IS HEREBY ORDERED that the above-entitled action shall be, and hereby is, DISMISSED WITHOUT PREJUDICE in its entirety, including the Counterclaim.

IT IS FURTHER ORDERED that each of the parties shall bear its own attorneys' fees and costs, and that the Court shall retain jurisdiction to enforce the settlement.

IT IS SO ORDERED.

Dated: December 7 2017

UNITED STATES DISTRICT COURT

