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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

KEVIN KHEDER, Individually and on Behalf of
 All Others Similarly Situated,
 Plaintiff,
 v.
 ARADIGM CORPORATION, IGOR GONDA
 and NANCY E. PECOTA,
 Defendants.

Case No.: 3:18-cv-00261-VC

**STIPULATION AND ~~PROPOSED~~
 ORDER OF VOLUNTARY DISMISSAL
 UNDER FRCP 41**

1 Lead Plaintiff William Manghisi (“Plaintiff”) and defendants Aradigm Corporation, Igor
2 Gonda and Nancy E. Pecota (collectively, “Defendants”), and hereby stipulate as follows:

3 WHEREAS, this action was filed on January 11, 2018;

4 WHEREAS, pursuant to the Private Securities Litigation Reform Act, Plaintiff was
5 appointed as Lead Plaintiff, and Levi & Korsinsky LLP was appointed as Lead Plaintiff’s
6 Counsel, on April 6, 2018 (Dkt. No. 27);

7 WHEREAS, this Court entered a scheduling order requiring Plaintiff to file an amended
8 complaint by May 9, 2018 (Dkt. No. 30);

9 WHEREAS, Plaintiff wishes to dismiss this action pursuant to the terms of this
10 Stipulation;

11 WHEREAS, no class has been certified in this action, no compensation or consideration
12 has been or will be paid to Plaintiff, and no agreements or promises have been made other than
13 what is expressly reflected in this Stipulation;

14 THEREFORE, the parties hereby stipulate and respectfully request that:

- 15 1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Parties jointly
16 stipulate to the voluntary dismissal of the Action;
- 17 2. The Action shall be dismissed with prejudice as to Plaintiff;
- 18 3. The Action shall be dismissed without prejudice as to all other putative class
19 members;
- 20 4. Because the dismissal is with prejudice as to Plaintiff only, and not as to any
21 members of the putative class, notice of this dismissal is not required; and
- 22 5. Each Party shall be responsible for his, her or its own costs or fees associated with

1 the Action.

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3 Dated: May 9, 2018

LEVI & KORSINSKY, LLP

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By: s/Adam C. McCall
Adam C. McCall

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Attorneys for Lead Plaintiff
William Manghisi

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8 Dated: May 9, 2018

FENWICK & WEST LLP

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By: s/Kevin Muck
Kevin Muck

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Attorneys for Defendants Aradigm Corporation,
Igor Gonda and Nancy E. Pecota

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Pursuant to Civil Local Rule 5-1(i)(3), all signatories concur in the filing of this

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stipulation.

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Dated: May 9, 2018

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s/Adam C. McCall
Adam C. McCall

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PURSUANT TO STIPULATION, IT IS SO ORDERED:

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Dated: May 11, 2018



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The Honorable Vince Chhabria
United States District Judge

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