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6 Attorneys for Defendants  
BEST BUY ENTERPRISE SERVICES, INC. and  
7 BEST BUY CO., INC.

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

11 IDENTITY ARTS, a California Limited  
12 Liability Company,

13 Plaintiff,

14 v.

15 BEST BUY ENTERPRISE SERVICES.  
16 INC., a Minnesota Corporation, BEST  
BUY CO., INC., a Minnesota Corporation  
and DOES 1 through 100 inclusive.

17 Defendants.  
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Case No. C 05-4656 PJH

[Assigned For All Purposes To The Honorable  
Phyllis J. Hamilton]

**STIPULATION OF DISMISSAL AND  
[PROPOSED] ORDER**

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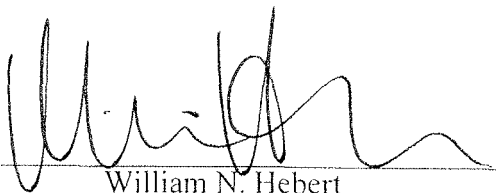
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Pursuant to Rule 41 of the Federal Rules of Civil Procedure, and the parties' confidential Settlement Agreement and Mutual General Release, the parties hereby stipulate to dismissal of Plaintiff's action with prejudice with each side to bear its own attorneys' fees. The Court shall retain jurisdiction to enforce the terms of the parties' Settlement Agreement and Mutual General Release.

SO STIPULATED AND AGREED:

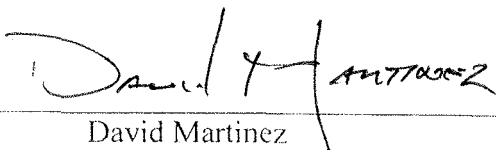
Dated: September 15, 2009

CALVO & CLARK, LLP

By:   
William N. Hebert  
Attorneys for Plaintiff  
IDENTITY ARTS, LLC

Dated: September 15, 2009

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

By:   
David Martinez  
Attorneys for Defendants  
BEST BUY ENTERPRISE SERVICES, INC. and BEST BUY CO., INC.

**ORDER**

The parties having so stipulated, it is so ordered that this action is dismissed with prejudice. The Court shall retain jurisdiction for twelve (12) months to enforce the terms of the parties' confidential Settlement Agreement and Mutual General Release.

IT IS SO ORDERED.

Dated: 9/16/09

PHYLLIS J. HAMILTON  
United States District Judge

