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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(OAKLAND DIVISION)

MICHEL K. SUSAI,

Plaintiff,

v.

B.V. JAGADEESH, RICK BOLANDER,  
NETSCALER, INC., NCAR, LLC  
GABRIEL VENTURE PARTNERS L.P.,  
and JOHN and/or JANE DOE(S) and/or  
DOE ENTITY(IES),

Defendants.

Civil Case No.: C 07-00001 SBA

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE**

Plaintiff Michel K. Susai and Defendants B.V. Jagadeesh, Frederick W.W. Bolander, NetScaler, Inc., NCAR, LLC, and Gabriel Venture Partners, LP (collectively, the "Parties"), pursuant to Federal Rule of Civil Procedure 41(a)(ii), hereby stipulate as follows:

1. The above-captioned action shall be dismissed with prejudice;
2. Each Party shall bear his or its own attorneys' fees, expenses, and costs.

Stipulated and agreed to this

\_\_\_\_\_ 22nd day of October, 2008

Plaintiff Michel K. Susai

Defendants B.V. Jagadeesh, NetScaler, Inc.  
and NCAR, LLC

By: /s/ Rodney R. Patula

By: /s/ Mona M. Patel

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Defendants Gabriel Venture Partners, LP  
and Frederick W. W. Bolander

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ENTERED AND APPROVED  
THIS 13TH DAY OF NOVEMBER, 2008

  
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SAUNDRA BROWN ARMSTRONG  
United States District Judge