

1 [Counsel set forth on signature page]

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

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IN RE FLASH MEMORY ANTITRUST  
LITIGATION

No. C07-00086 SBA

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**STIPULATION AND ORDER FOR  
DISMISSAL WITH PREJUDICE AS TO  
DEFENDANT SANDISK  
CORPORATION PURSUANT TO FED.  
R. CIV. PROC. 41(a)(2)**

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This document Relates to:

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ALL INDIRECT PURCHASER ACTIONS

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1 Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiffs Keith  
2 Alderman, Christopher Bessette, Peter Burke, James Burt, California Coast Investigative  
3 Services, Anthony Cardinale, Michael Chek, Alva Dee Cravens, Peter DeChristopher, Donna  
4 Fahner, Eric Ferguson, Donna Jeanne Flanagan, Ina Fryer, Stuart Go, Sandra Green, Dan  
5 Harrison, Thomas Y. Huh, James Knowles, Fred W. Krahmer, Harold Moore, Martha Mulvey,  
6 Joanne Myles, Thomas Nigro, Carman Pellitteri, Travis Richardson, Richard Chris Rippel, Ryan  
7 Skorstad, Lynn Sweatman, and Joseph Theisen, (collectively “Indirect-Purchaser Plaintiffs”) and  
8 defendant SanDisk Corporation (“SanDisk”) (collectively “The Stipulating Parties”) by and  
9 through their counsel hereby stipulate as follows:

10 1. On May 1, 2009, the Indirect-Purchaser Plaintiffs filed a First Amended  
11 Consolidated Class Action Complaint against SanDisk in the above-entitled action.<sup>1</sup>

12 2. The Stipulating Parties have reached a confidential settlement of all claims  
13 asserted by Plaintiffs against SanDisk in the above-entitled action.

14 3. In furtherance of the confidential settlement, the Stipulating Parties agree  
15 that all claims asserted by Plaintiffs against SanDisk in the above-entitled action shall be  
16 dismissed with prejudice, with Plaintiffs and SanDisk each bearing their own costs and  
17 attorneys’ fees, and SanDisk shall no longer be a party in this action.<sup>2</sup>

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23 <sup>1</sup> Plaintiffs Keith Alderman, James Knowles, Fred W. Krahmer, Carman Pellitteri, Ryan  
24 Skorstad, and Lynn Sweatman, had previously filed complaints against SanDisk Corporation but  
were not included as named plaintiffs in the First Consolidated Class Action Complaint.

25 <sup>2</sup> The confidential settlement also includes the following plaintiffs, who dismissed their claims  
26 with prejudice as to all defendants on April 25, 2012 (Dkt. 764): Jacob Greenwell, Sarah Hecht,  
27 Jean McClellan-Chambers, Jamac Enterprises, Robin McEntee, Trong Nguyen, Jason Perkins,  
Travis Weibe, Joshua Steele, Benjamin Northway, Lindsey Morgan, Kelly Fahner, George  
28 Davis, Andrew Kindt, Tristen Woods, and Jai Paguirigan.

1 IT IS SO STIPULATED.

2 DATED: May 2, 2012.

COTCHETT, PITRE & MCCARTHY

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4 By:           /s/ Steve N. Williams            
Steve N. Williams

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*Co-Lead Counsel for Indirect Purchaser  
Plaintiffs*

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7 DATED: May 2, 2012.

ZELLE HOFMANN VOELBEL & MASON  
LLP

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9 By:           /s/ Christopher T. Micheletti            
Christopher T. Micheletti

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*Co-Lead Counsel for Indirect Purchaser  
Plaintiffs*

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13 DATED May 2, 2012.

BINGHAM MCCUTCHEN LLP

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15 By:           /s/ Frank M. Hinman            
Frank M. Hinman

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*Counsel for SanDisk Corporation*

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**ORDER**

For the reasons set forth in the above stipulation, and good cause appearing therefor, it is hereby ORDERED as follows:

1. All claims asserted by Plaintiffs against SanDisk Corporation in the above-entitled action or any of its associated actions are hereby DISMISSED WITH PREJUDICE, with Plaintiffs and SanDisk Corporation each bearing their own costs and attorneys' fees.

2. SanDisk Corporation shall no longer be a party in this action.

IT IS SO ORDERED.

DATED: \_5/10/12



Sandra Brown Armstrong  
United States District Judge

**FILER'S ATTESTATION**

I, Rianne E. Rocca, am the ECF user whose identification and password are being used to file this Stipulation. In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of this document has been obtained from the signatories above.

/s/ Rianne E. Rocca

Rianne E. Rocca

Attorney for Defendant SanDisk Corporation

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