

[Counsel set forth on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE FLASH MEMORY ANTITRUST
LITIGATION

No. C07-00086 SBA

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

This document Relates to:

ALL INDIRECT PURCHASER ACTIONS

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

1. On May 1, 2009, the Indirect-Purchaser Plaintiffs filed a First Amended Consolidated Class Action Complaint against SK hynix in the above-entitled action.¹

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

3. In furtherance of the confidential settlement, the Stipulating Parties agree that all claims asserted by Plaintiffs against SK hynix in the above-entitled action shall be dismissed with prejudice, with Plaintiffs and Hynix each bearing their own costs and attorneys’ fees and Hynix shall no longer be a party in this action.²

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

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

1 IT IS SO STIPULATED.

2 DATED: July 26, 2012.

COTCHETT, PITRE & McCARTHY, LLP

3
4 By: /s/ Steven N. Williams
Steven N. Williams

5 *Co-Lead Counsel for Indirect Purchaser*
6 *Plaintiffs*

7 DATED: July 26, 2012.

ZELLE HOFMANN VOELBEL & MASON
LLP

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

11 *Co-Lead Counsel for Indirect Purchaser*
12 *Plaintiffs*

13 DATED July 26, 2012.

O'MELVENY & MYERS LLP

14
15 By: /s/ Michael F. Tubach
Michael F. Tubach

16 *Counsel for SK hynix Inc. (formerly known as*
17 *Hynix Semiconductor Inc.) and SK hynix*
18 *America Inc. (formerly known as Hynix*
19 *Semiconductor America Inc.*

20 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

21 Pursuant to General Order No. 45, § X(B), regarding signatures, I attest that the
22 concurrence in the filing of this document has been obtained from its signatories.

23
24 Dated: July 26, 2012

By: /s/ Steven N. Williams
Steven N. Williams

ORDER

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

1. All claims asserted by Plaintiffs against SK hynix Inc. (formerly known as Hynix Semiconductor Inc.) and SK hynix America Inc. (formerly known as Hynix Semiconductor America Inc.) in the above-entitled action or any of its associated actions are hereby DISMISSED WITH PREJUDICE, with Plaintiffs and SK hynix Inc. and SK hynix America Inc. each bearing their own costs and attorneys' fees.

2. SK hynix Inc. and SK hynix America Inc. shall no longer be parties in this action.

IT IS SO ORDERED.

DATED: 8/1/12



Sandra Brown Armstrong
United States District Judge