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14  
 15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA

17 ALL AMERICAN SEMICONDUCTOR, INC.,

18 Plaintiff,

19 v.

20 HYNIX SEMICONDUCTOR, INC., a Korean  
 21 corporation, et al.,

22 Defendants.

Case No.: C07-01200 PJH

**Assigned for all purposes to the  
 Honorable Phyllis J. Hamilton**

**STIPULATION OF DISMISSAL  
 AND [~~PROPOSED~~] ORDER AS TO  
 INFINEON TECHNOLOGIES AG  
 AND INFINEON TECHNOLOGIES  
 NORTH AMERICA CORP.**

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 28 Stipulation of Dismissal as to Infineon Defendants  
 C07-01200 PJH

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3 **STIPULATION**

4 The parties hereto hereby stipulate to a dismissal of this action as to defendants Infineon  
5 Technologies AG and Infineon Technologies North America Corp. only, with prejudice, pursuant to  
6 Rule 41(a)(2) of the Federal Rules of Civil Procedure. This stipulation is pursuant to a settlement  
7 agreement negotiated by the parties, and the parties agree that the Court should reserve jurisdiction to  
8 enforce the terms of that settlement agreement. Each party shall bear its own costs and attorney's  
9 fees. This dismissal shall not apply to or affect any other defendant in this action. This dismissal is  
10 without prejudice to Plaintiff's rights to enforce the terms of the settlement agreement.

11 **IT IS SO STIPULATED AND AGREED.**

12 Dated: December 8, 2009

BILZIN SUMBERG BAENA  
PRICE & AXELROD LLP

13  
14 By:                   /s/ Scott N. Wagner                    
15 Scott N. Wagner

16 Attorneys for Plaintiff

17 ALL AMERICAN SEMICONDUCTOR, INC.

18 Dated: December 8, 2009

ORRICK HERRINGTON & SUTCLIFFE LLP

19  
20 By:                   /s/ Julian Brew                    
21 Julian Brew

22 Attorneys for Defendants

23 INFINEON TECHNOLOGIES AG and  
24 INFINEON TECHNOLOGIES NORTH  
25 AMERICA CORP.

**ATTESTATION OF FILING**

Pursuant to General Order 45.X.B, I hereby attest that I have obtained concurrence in the filing of this document from the parties listed above.

\_\_\_\_\_  
/s/ Scott N. Wagner  
Scott N. Wagner

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**[PROPOSED] ORDER**

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED.

Dated: 12/10/09



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1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that on December 8, 2009, I electronically filed the foregoing  
3 Stipulation via CMF/ECF on all interested parties registered for e-filing in this case:

4 PLEASE SEE ATTACHED SERVICE LIST

5 I declare under penalty of perjury under the laws of the United States of America that the  
6 foregoing is true and correct.  
7

8  
9 /s/ Scott N. Wagner  
10 Scott N. Wagner

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