

1 MORTON H. SKLAR (admitted *pro hac vice*)
 2 msklar@humanrightsusa.org
 3 WORLD ORGANIZATION FOR HUMAN
 4 RIGHTS USA
 5 2029 P Street NW, Suite 301
 6 Washington, DC 20036
 7 Telephone: (202) 296-5702
 8 Facsimile: (202) 296-5704
 9 [Local Counsel, Roger R. Myers of Holme
 10 Roberts & Owen LLP, Listed on the Signature
 11 Page]
 12 Attorneys for Plaintiffs

9 SCOTT REYNOLDS
 10 scott.reynolds@lovells.com
 11 LOVELLS LLP
 12 590 Madison Ave.
 13 New York, New York 10022
 14 Telephone: (212) 909-0600
 15 Facsimile: (212) 909-0660
 16 Attorneys for Defendant ALIBABA.COM, INC.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

17 WANG XIAONING, YU LING, SHI TAO,
 18 and ADDITIONAL PRESENTLY
 19 UNNAMED AND TO BE IDENTIFIED
 20 INDIVIDUALS,

Plaintiffs,

v.

21 YAHOO, INC., a Delaware Corporation,
 22 YAHOO! HONG KONG, LTD., a Foreign
 23 Subsidiary of Yahoo!, ALIBABA.COM,
 24 INC., a Delaware Corporation AND
 25 UNNAMED AND TO BE IDENTIFIED
 26 INDIVIDUAL EMPLOYEES OF SAID
 27 CORPORATIONS,

Defendants.

Case No. C07-02151 CW

**STIPULATED DISMISSAL AS TO
 DEFENDANT ALIBABA.COM, INC.**

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(i), and as a result of information just
2 obtained through meet and confer discussions among attorneys for the parties, and consistent with
3 the Joint Stipulation amending the complaint submitted on July 19, 2007, Plaintiffs and Defendant
4 Alibaba.com, Inc. hereby stipulate to the dismissal without prejudice of Defendant Alibaba.com, Inc.
5 from the above-captioned case.

6 The original Complaint was filed on April 18, 2007, the First Amended Complaint was filed
7 on May 29, 2007 and the Second Amended Complaint was submitted by Joint Stipulation on July
8 19, 2007. Pursuant to the Joint Stipulation, which the Court has not yet granted, Defendants'
9 response to the Second Amended Complaint will be due 30 days after the Court adopts and issues
10 the stipulated proposed order.

11 As of this date, no Answer, or Motion to Dismiss, or Motion for Summary Judgment has
12 been served upon Plaintiffs by Defendant Alibaba.com, Inc., or by any of the Defendants. Under
13 Rule 41(a)(1)(i), a plaintiff may voluntarily dismiss a Defendant without leave of court "at any time
14 before service by the adverse party of an answer or of a motion for summary judgment, whichever
15 first occurs." Fed. R. Civ. P. 41(a)(1)(i).

16 This dismissal is operative as to Defendant Alibaba.com, Inc. only, and does not affect the
17 remaining portions of the above-captioned case as regards Defendants Yahoo!, Inc., Yahoo! Hong
18 Kong, Ltd. and Other Presently Unnamed and To Be Identified Corporate Defendants and Unnamed
19 and To Be Identified Individuals of Said Corporations.

20 Plaintiffs and Alibaba.com, Inc. will each bear their own attorneys' fees, costs and expenses
21 in relationship to the proceeding, in connection with the listing and dismissal of Alibaba.com, Inc. as
22 a Defendant.

23
24 **ATTESTATION**

25 Concurrence in the filing of this document has been obtained from the other signatories.

26 Dated: July 25, 2007

HOLME ROBERTS & OWEN LLP

27
28 By: /s/ Roger Myers

1 Respectfully submitted this 25th day of July 2007.

2 MORTON H. SKLAR
3 THERESA HARRIS
4 WORLD ORGANIZATION FOR HUMAN
RIGHTS USA

5 By: /s/ Morton Sklar

6 Morton Sklar
7 Attorney for Plaintiffs

8 ROGER MYERS (S.B.#146164)
9 HOLME ROBERTS & OWEN LLP
10 560 Mission St., 25th Floor
11 San Francisco, CA 94105
12 Telephone: (415) 268-2000
13 Facsimile: (415) 268-1999
14 Local Counsel for Plaintiffs

15 SCOTT REYNOLDS, ESQ.
16 LOVELLS LLP

17 By: _____

18 Scott Reynolds, Esq.
19 Attorney for Defendant ALIBABA.COM, INC.
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