1 2 3 4 5 6 7 8	Kevin D. Lally (SBN 095374) Edward Romero (SBN 148495) GREENAN, PEFFER, SALLANDER & LALLY 6111 Bollinger Canyon Road, Suite 500 San Ramon, California 94583 Telephone: (925) 866-1000 Facsimile: (925) 830-8787 Email: Eromero@gpsllp.com Mary McNamara (SBN 147131) August Gugelmann (SBN 240544) SWANSON, McNAMARA & HALLER LLP 300 Montgomery Street, Suite 1100 San Francisco, California 94104 Telephone: (415) 477-3800 Facsimile: (415) 477-9010 Email: MMcnamara@SMHlegal.com	LLP
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10 11	Attorneys for Plaintiffs MASSIMILIANO MARTONE and MARTONE RADIO TECHNOLOGY, INC.	
12		
13	UNITED STATES I	DISTRICT COURT
14	FOR THE NORTHERN DIS	STRICT OF CALIFORNIA
15	OAKLAND DIVISION	
16		
	MACCINII IANO MADTONE - di distiluale	C N 00 2250 CW
17 18	MASSIMILIANO MARTONE, an individual;) MARTONE RADIO TECHNOLOGY, INC., a) Nevada Corporation,	Case No. 08-23/9 CW
19	Plaintiffs,	STIPULATION AND ORDER DISMISSING ACTION WITH
20	vs.	PREJUDICE PURSUANT TO RULE 41(A)(1) OF THE FEDERAL RULES OF CIVIL PROCEDURE
21	DAVID BURGESS, an individual; KESTREL) SIGNAL PROCESSING, INC., a California)	CIVILIROCEDURE
22	Corporation; RANGE NETWORKS, INC.	Courtroom: 2 [The Honorable Claudia Wilken]
23	Defendants.	[The Honorable Claudia Wilkeli]
24	· · · · · · · · · · · · · · · · · · ·	
25	Plaintiffs Massimiliano Martone ("Mar	rtone") and Martone Radio Technology, Inc.
26	("MRT") and defendants David Burgess ("Burgess"), Kestrel Signal Processing, Inc. (Kestrel")	
27	and Range Networks, Inc. ("Range"), (collectively, the "Parties"), by and through their	
28	respective attorneys, stipulate and agree that the	Court may make and enter its Order as follows:
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Peffer,	•	
Sallander &		<u> </u>

Lally LLP

1	1. The Parties have resolved this	s action and jointly agree to dismiss the complaint
2	and the above referenced action with preju	dice, in its entirety, by way of a stipulation and
3	proposed order filed pursuant to Rule 41(a)(1)	of the Federal Rules of Civil Procedure.
4	2. Accordingly, the Parties, by a	and through their respective counsel, stipulate and
5	agree that the complaint and the above refer	renced action be dismissed with prejudice and that
6	any injunction(s) entered in the action be dis	solved forthwith. The Parties further stipulate that
7	each party is to bear his or its own attorneys'	fees and costs of suit.
8		
9	IT IS SO STIPULATED.	
10		
11	_/s/	_/s/
12	Kevin D. Lally (SBN 095374) Edward Romero (SBN 148495)	Mary McNamara (SBN 147131) August Gugelmann (SBN 240544)
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19		
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27	Attorneys for Defendants	
28	DAVID BURGESS, KESTREL SIGNAL PROCESSING, INC., and	
	RANGE NETWORKS, INC.	

Greenan, Peffer, Sallander & Lally LLP

1 **ORDER** Pursuant to the stipulation of plaintiffs Massimiliano Martone and Martone Radio 2 Technology, Inc. and defendants David Burgess, Kestrel Signal Processing, Inc. and Range 3 Networks, Inc., IT IS HEREBY ORDERED THAT the complaint in this action, and the action in 4 its entirety, be and is hereby dismissed with prejudice, and that any injunction(s) entered in the 5 action be and hereby are dissolved forthwith. Each party is to bear his or its own attorneys' fees 6 and costs of suit. 7 8 IT IS SO ORDERED. 9 Ladieler 8/4/09 10 Dated: 11 CLAUDIA WILKEN UNITED STATES DISTRICT JUDGE 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

Greenan, Peffer, Sallander & Lally LLP

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