

1 Greg L. Lippetz (State Bar No. 154228)
 glippetz@jonesday.com
 2 Cora L. Schmid (State Bar No. 237267)
 cschmid@jonesday.com
 3 JONES DAY
 1755 Embarcadero Road
 4 Palo Alto, CA 94303
 Telephone: 650-739-3939
 5 Facsimile: 650-739-3900

David N. Kuhn (State Bar No. 73389)
 Attorney-at-Law
 144 Hagar Avenue
 Piedmont, CA 94611
 Telephone: (510) 653-4983
 E-mail: dnkuhn@pacbell.net

Attorney for Plaintiff Gregory Bender

6 Attorneys for Defendant
 INTERSIL CORPORATION

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 OAKLAND DIVISION

11 Gregory Bender,
 12 Plaintiff,
 13 v.
 14 Intersil Corporation,
 15 Defendant.

Case No. C 09-01155 CW (BZ)

**STIPULATION AND ~~PROPOSED~~
 ORDER OF DISMISSAL OF CLAIMS
 AND COUNTERCLAIMS WITH
 PREJUDICE**

17 Plaintiff Gregory Bender (“Bender”) and Defendant and Counterclaimant Intersil
 18 Corporation (“Intersil”) inform the court that they have reached agreement on the terms of
 19 dismissal of the claims and counterclaims in the above-entitled action and hereby submit this
 20 Stipulation of Dismissal.

21 Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties
 22 hereby stipulate to dismiss with prejudice all claims and counterclaims in this action asserted by
 23 the parties. The parties stipulate that each party will bear its own costs and attorneys’ fees
 24 relating to the dismissed claims.

25 SO STIPULATED.

