

1 Greg L. Lippetz (State Bar No. 154228)
 2 glippetz@jonesday.com
 3 Cora L. Schmid (State Bar No. 237267)
 4 cschmid@jonesday.com
 5 JONES DAY
 6 1755 Embarcadero Road
 7 Palo Alto, CA 94303
 8 Telephone: 650-739-3939
 9 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 and Counter-
 Defendant Gregory Bender

6 Attorneys for Defendant and
 7 Counter-Claimant Freescale
 Semiconductor, Inc.

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

11 Gregory Bender,
 12
 13 Plaintiff and Counter-Defendant,
 14 v.
 15 Freescale Semiconductor, Inc.,
 16 Defendant and Counter-Claimant.

Case No. C09-01156-PJH (MEJ)
**STIPULATION AND [PROPOSED]
 ORDER OF DISMISSAL OF
 CLAIMS AND COUNTERCLAIMS
 WITH PREJUDICE**

18 Plaintiff and Counter-Defendant Gregory Bender and Defendant and Counter-Claimant
 19 Freescale Semiconductor, Inc., inform the court that they have reached agreement on the terms of
 20 dismissal of the claims and counterclaims in the above-entitled action and hereby submit this
 21 Stipulation of Dismissal.

22 Pursuant to Rule 41(a)(2) and (c) of the Federal Rules of Civil Procedure, the parties
 23 hereby stipulate to dismiss WITH PREJUDICE all claims and counterclaims in this action
 24 asserted by the parties, with each party to bear its own costs, expenses, and attorney's fees.

25 SO STIPULATED.

