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

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

CASE NO. C 09-01245 SBA (LB)
STIPULATION OF DISMISSAL OF
ACTION, WITH PREJUDICE; AND
~~PROPOSED~~ ORDER

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 17 Plaintiff and Counter-Defendant Gregory Bender and Defendant and Counter-Claimant
 18 Motorola, Inc. hereby inform the Court that they have reached definitive agreement on the terms
 19 of dismissal, with prejudice, of all claims and counterclaims of the parties in this action and
 20 hereby submit this Stipulation of Dismissal of Action, With Prejudice; and [Proposed] Order.

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

24 SO STIPULATED.

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