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SMC NETWORKS, INC.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

OPTIMUMPATH, L.L.C., Plaintiff, vs. BELKIN INTERNATIONAL, INC., BUFFALO TECHNOLOGY (USA), INC., CISCO-LINKSYS, LLC, COMPEX, INC., D-LINK SYSTEMS, INC. NETGEAR, INC. AND SMC NETWORKS, INC., Defendants.	Case No: 4:09-cv-01398-CW **STIPULATION OF DISMISSAL OF DEFENDANT SMC NETWORKS, INC.**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), IT IS HEREBY STIPULATED by and

between Plaintiff OptimumPath L.L.C. ("OptimumPath") and Defendant SMC Networks, Inc.

("SMC Networks") (collectively referred to as "The Parties"), through their counsel of record,

that:

(1)   All claims presented by OptimumPath directed at SMC Networks in

OptimumPath's Complaint shall be dismissed WITH PREJUDICE;

(2)   SMC Network's Counterclaims for non-infringement, invalidity, and

unenforceability shall be dismissed WITH PREJUDICE; and

(3)   The Parties shall bear their own costs and attorneys' fees.

DATED: April 6, 2011

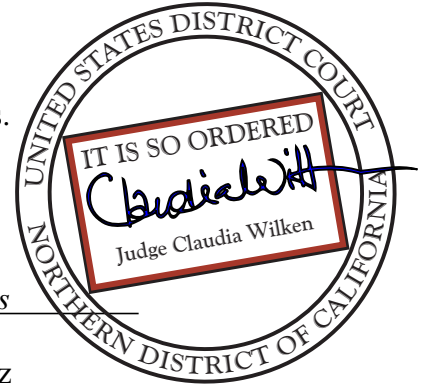_/s/ Corby R. Vowell, with permission_
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SMC NETWORKS, INC.

IT IS SO ORDERED

Judge Claudia Wilken

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served electronically on April 6, 2011.

/s/ Craig E. Davis
CRAIG E. DAVIS