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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Vertos Medical, Inc., a Delaware Corporation,

Plaintiff

vs.

Globus Medical, Inc., a Delaware Corporation,

Defendant.

Case No.: C09-01411-PJH

**[PROPOSED] ORDER OF DISMISSAL WITHOUT PREJUDICE PURSUANT TO FED.R.CIV.P. 41**

Judge: Hon. Phyllis J. Hamilton

Pursuant to the February 19, 2010 Stipulation between the parties, this Court hereby dismisses this the above captioned action without prejudice, and with each of the parties to bear its own respective attorneys' fees and costs, pursuant to Fed.R.Civ.P. 41. The Court hereby further instructs the Clerk of Court to release to Vertos Medical, Inc. the cash bond posted by Vertos Medical, Inc. for the Preliminary Restraining Order in this case.

**IT IS SO ORDERED:**

DATED: Feb. 19, 2010

