

1 DAVID M. HILL, ESQ. (*pro hac vice*)  
 2 Ward & Olivo  
 3 380 Madison Avenue  
 4 New York, New York 10017  
 5 Telephone: (212) 697-6262  
 6 Facsimile: (212) 972-5866  
 7 hilld@wardolivo.com

8 Attorneys for Plaintiff SMDK Corp.

9 STEVEN W. RITCHESON, ESQ (SBN 174062)  
 10 White Field, Inc.  
 11 9800 D Topanga Canyon Blvd. #326  
 12 Chatsworth, California 91311  
 13 Telephone: (818) 882-1030  
 14 Facsimile: (818) 337-0383  
 15 swritcheson@whitefieldinc.com

16 Attorneys for Plaintiff SMDK Corp.

17 **UNITED STATES DISTRICT COURT**  
 18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 19 **OAKLAND DIVISION**

20 SMDK CORP.

21 Plaintiff,

22 v.

23 CREATIVE LABS, INC., et al.

24 Defendants.

Case No. 10-cv-00116 PJH

**STIPULATION FOR DISMISSAL  
 OF DEFENDANTS WAL-MART  
 STORES, INC., AND WAL-  
 MART.COM USA LLC**

25 The Parties, by and through their respective counsel, stipulate as follows:

26 1. Pursuant to Rule 41 of the FEDERAL RULES OF CIVIL PROCEDURE, this  
 27 action by and between SMDK CORP. (“SMDK”) and WAL-MART STORES INC. and  
 28

1 WAL-MART.COM USA LLC, (collectively "Walmart"), including all claims and  
2 counterclaims, shall be dismissed without prejudice; and

3 2. As between SMDK and Walmart, each such party shall bear its own costs and  
4 attorneys' fees.

5 SO STIPULATED.

6  
7 DATED: January 12, 2011

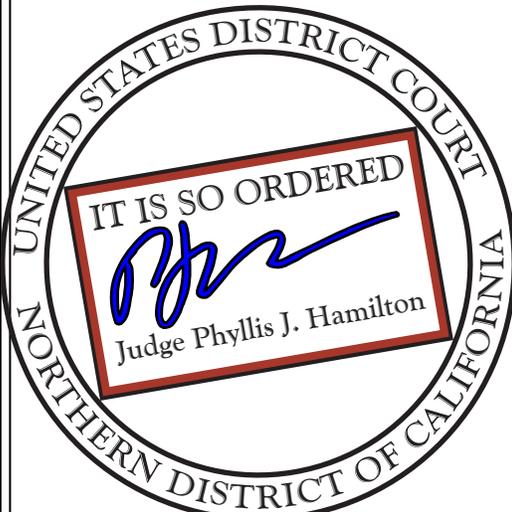
WHITE FIELD, INC.

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9 By: /s/ Steven W. Ritcheson  
10 STEVEN W. RITCHESON  
11 Attorneys for Plaintiff SMDK Corp.

12  
13 DATED: January 12, 2011

FOLEY & LARDNER LLP

14  
15 By: /s/ Laure L. Chapman  
16 LAURA L. CHAPMAN (SBN 167249)  
17 Foley & Lardner LLP  
18 One Maritime Plaza, Suite 600  
19 San Francisco, California 94111  
20 Telephone: 415.434.4484  
21 Facsimile: 415.434.4507  
22 lchapman@foley.com  
23 Attorneys for Defendants Wal-Mart Stores,  
24 Inc. and Wal-Mart.com USA



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