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9 Lead Counsel for Plaintiffs

10 [Additional counsel appear on signature page.]

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 OAKLAND DIVISION

14 In re CISCO SYSTEMS INC. SECURITIES ) Lead Case No. C 11-1568-SBA  
 15 LITIGATION )  
 16 \_\_\_\_\_ ) CLASS ACTION

17 This Document Relates To: ) JOINT STIPULATION AND ORDER  
 18 ALL ACTIONS. ) DISMISSING FIRST AMENDED  
 19 \_\_\_\_\_ ) COMPLAINT WITH PREJUDICE

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1 Plaintiffs and defendants, by and through their respective counsel of record, hereby agree and  
2 stipulate as follows:

3 WHEREAS, the Court entered an order dismissing the First Amended Complaint without  
4 prejudice on April 5, 2013 (Dkt. No. 88);

5 WHEREAS, the Court provided plaintiffs the opportunity to file a Second Amended  
6 Complaint on or before April 26, 2013 (*id.* at 27);

7 WHEREAS, the parties, having met and conferred, and agreed and stipulated that plaintiffs  
8 will not file a Second Amended Complaint, will not appeal any prior judgments by this Court,  
9 including the Court's order dismissing the First Amended Complaint and that the First Amended  
10 Complaint should be dismissed with prejudice; and

11 WHEREAS, plaintiffs and defendants further agree and stipulate that each party shall bear its  
12 own costs in connection with this case;

13 NOW, THEREFORE, the parties hereby stipulate and agree, subject to this Court's approval,  
14 as follows:

- 15 1. Plaintiffs will not appeal any prior judgments by this Court, including the Court's  
16 order dismissing the First Amended Complaint;
- 17 2. The First Amended Complaint is dismissed with prejudice;
- 18 3. Plaintiffs and defendants will each bear their own costs; and
- 19 4. The case is hereby closed and all scheduled dates are struck from the Court's  
20 calendar.

21 IT IS SO STIPULATED.

22 DATED: April 26, 2013

ROBBINS GELLER RUDMAN  
& DOWD LLP  
CHRISTOPHER P. SEEFER

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s/ Christopher P. Seefer  
CHRISTOPHER P. SEEFER

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Lead Counsel for Plaintiffs

DATED: April 26, 2013

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J. ERIK CONNOLLY

s/ J. Erik Connolly  
J. ERIK CONNOLLY

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Counsel for Defendants CISCO SYSTEMS,  
INC., JOHN T. CHAMBERS and FRANK  
CALDERONI

1 I, Christopher P. Seefer, am the ECF User whose ID and password are being used to file this  
2 Joint Stipulation and [Proposed] Order Dismissing with Prejudice the First Amended Complaint. In  
3 compliance with Civil Local Rule 5-1(i)(3). I hereby attest that J. Erik Connolly has concurred in  
4 this filing.

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s/ Christopher P. Seefer  
CHRISTOPHER P. SEEFER

\* \* \*

**ORDER**

Based on the above Stipulation of the parties, by and through their counsel of record, and for good cause showing, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. Plaintiffs will not appeal any prior judgments by this Court, including the Court’s order dismissing the First Amended Complaint;
2. The First Amended Complaint is dismissed with prejudice;
3. Plaintiffs and defendants will each bear their own costs; and
4. The case is hereby closed and all scheduled dates are struck from the Court’s calendar.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 4/29/13

  
HON. SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE

1 CERTIFICATE OF SERVICE

2 I hereby certify that on April 26, 2013, I authorized the electronic filing of the foregoing with  
3 the Clerk of the Court using the CM/ECF system which will send notification of such filing to the  
4 e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I  
5 caused to be mailed the foregoing document or paper via the United States Postal Service to the non-  
6 CM/ECF participants indicated on the attached Manual Notice List.

7 I certify under penalty of perjury under the laws of the United States of America that the  
8 foregoing is true and correct. Executed on April 26, 2013.

9 s/ Christopher P. Seefer  
10 CHRISTOPHER P. SEEFER

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