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 Defendants/Counterclaimants
 JSMD KEY PRODUCTS, LLC and
 JAMES LARSON

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 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 OAKLAND DIVISION

16 GOLF CITY PRODUCTS, a partnership
 and JOHN NISWONGER, an individual,
 17
 18 Plaintiffs,
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 20 v.
 21 AFTERSHOCK, a sole proprietorship,
 JENNIFER WHITE, an individual, REX
 22 WHITE, an individual, JSMD KEY
 23 PRODUCTS, LLC, a corporation and
 24 JAMES LARSON, an individual,
 25 Defendants.

CASE NO. CV 11-03547-CW

**STIPULATION FOR ENTRY OF
 JUDGMENT AND DISMISSAL OF ALL
 CLAIMS AND COUNTERCLAIMS AND
 THE ACTION**

26 AND RELATED COUNTERCLAIMS
 27
 28

{00616184v1}

1 A. WHEREAS by a complaint filed on July 19, 2011 the GOLF CITY PARTIES
2 commenced an action in this court (the “Action”) against, among others, the JSMD KEY
3 PRODUCTS LLC and JAMES LARSON (“JSMD PARTIES”), seeking a judgment that U.S. Patent
4 No. 7,797,864 (the “’864 Patent”) was and is not infringed, or alternatively is invalid and/or
5 unenforceable;

6 B. WHEREAS, by a counterclaim filed on October 5, 2011 the JSMD PARTIES sought a
7 judgment that the GOLF CITY PARTIES had infringed the ‘864 Patent, breached a confidential
8 disclosure statement, wrongfully appropriated property, and engaged in unfair competition;

9 C. WHEREAS the parties each disputed the claims asserted by the other parties;

10 D. WHEREAS the parties have entered into a settlement agreement under which they
11 have agreed to dismiss their respective claims and counterclaims against each other, and to pay their
12 own costs;

13 D. WHEREAS it is a further term of the settlement agreement that the GOLF CITY
14 PARTIES shall stipulate that the ‘864 Patent is valid and enforceable;

15 NOW THEREFORE, IT IS HEREBY STIPULATED by and between plaintiffs and counter
16 defendants Golf City Products and John Niswonger, of the one part, and defendants and
17 counterclaimants JSMD Key Products, LLC and James Larson, of the other part, through their
18 undersigned counsel, that:

19 1. The action and all remaining claims and counterclaims asserted in the action shall be
20 dismissed with prejudice;

21 2. It is declared and adjudged that the ‘864 patent is valid and enforceable;

22 3. This Court shall retain jurisdiction to enforce the settlement agreement, and to
23 adjudicate any disputes relating to the performance or non performance by any party of its obligations
24 under the settlement agreement, and for all other purposes relating to the settlement agreement; and,

25 4. The parties shall each pay their own costs and attorneys’ fees with regard to this
26 Action.

1 Date: April 13, 2012

CARR & FERRELL, LLP

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By: /s/ STUART C. CLARK

Attorneys for GOLF CITY PRODUCTS and
JOHN NISWONGER

Date: April 13, 2012

DONAHUE GALLAGHER WOODS, LLP

By: /s/ CHRISTIAN J. MARTINEZ

Attorneys for JSMD KEY PRODUCTS, LLC
AND JAMES LARSON

PURSUANT TO STIPULATION, IT IS SO ORDERED

Date: 4/23/2012



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE