1 Brian P. Kinder (SBN 212332) THE KINDER LAW GROUP, APC 2 19200 Von Karman Avenue, Fourth Floor Irvine, CA 92612 3 Telephone: (949) 216-3070 Facsimile: (949) 216-3074 4 Email: bkinder@tklglaw.com 5 Attorneys for Plaintiff Virtual Point Inc. 6 John R. Edwards (SBN 44310) 7 iohn.edwards@kirkland.com KIRKLAND & ELLIS LLP 8 3330 Hillview Ave. Palo Alto, CA 94304 9 Telephone: (650) 859-7000 Facsimile: (650) 859-7500 10 Robin A. McCue (pro hac vice) 11 Megan M. New (pro hac vice) KIRKLAND & ELLIS LLP 12 300 North LaSalle Chicago, Illinois 60654 13 Telephone: (312) 862-2000 Facsimile: (312) 862-2200 14 Attorney for Defendant Hedera AB 15 UNITED STATES DISTRICT COURT 16 NORTHERN DISTRICT OF CALIFORNIA 17 VIRTUAL POINT INC., a California corporation CASE NO. 4:13-CV-5690-YGR 18 dba Captive Media, ORDER GRANTING PARTIES' STIPULATION TO **DISMISS WITH PREJUDICE** 19 Plaintiff. 20 VS. 21 HEDERA AB, a Swedish limited liability company, 22 Defendant. 23 24 25 Plaintiff Virtual Point, Inc. ("Virtual Point") and Defendant Hedera AB ("Hedera") (collectively, 26 "the Parties"), by and through their undersigned counsel, hereby stipulate and agree pursuant to Federal 27 Rule of Civil Procedure 41(a)(1)(A)(ii) to the dismissal of Virtual Point's claim in this action, with 28 STIPULATION TO DISMISS WITH PREJUDICE 4:13-CV-5690-YGR

Virtual Point, Inc. v. Hedera AB

Doc. 53

prejudice. In support of this Stipulation, the Parties state as follows:

WHEREAS, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Parties may stipulate to the dismissal of this action without a Court order;

WHEREAS, on May 5, 2015, the Parties entered into a settlement agreement that stipulates to the dismissal of all claims with prejudice;

WHEREAS, the Parties have further agreed that they shall each bear their own attorneys' fees and expenses incurred in any way related to this action.

IT IS HEREBY STIPULATED AND AGREED by the Parties through their counsel:

- Virtual Point's claims against Hedera in this action shall be dismissed with prejudice; and
- The Parties shall each bear their own attorneys' fees and expenses incurred in any way related to this action.

IT IS SO STIPULATED.

/s/ Megan M. New John R. Edwards KIRKLAND & ELLIS LLP 3330 Hillview Ave. Palo Alto, California 94304 Telephone: (650) 859-7000 Facsimile: (650) 859-7500 iohn.edwards@kirkland.com Robin A. McCue (pro hac vice) Megan M. New (pro hac vice) KIRKLAND & ELLIS LLP

300 North LaSalle Chicago, Illinois 60654 Telephone: (312) 862-2000 Facsimile: (312) 862-2200 robin.mccue@kirkland.com megan.new@kirkland.com

Attorneys for Defendant Hedera AB

THE KINDER LAW GROUP

/s/ Brian P. Kinder

Brian P. Kinder (SBN 212332)

Dated: May 13, 2015

19200 Von Karman Avenue, Fourth Floor

Irvine, CA 92612

Telephone: (949) 216-3070 Facsimile: (949) 216-3074 Email: bkinder@tklglaw.com

Attorney for Plaintiff Virtual Point Inc.

