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 JOE LIU

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA

20 KEVIN WELLMAN, AN INDIVIDUAL,

Case No. 3:15-CV-00156-JSW

21 Plaintiff,

22 v.

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER FOR DISMISSAL
 WITH PREJUDICE**

23 OPLINK COMMUNICATIONS, INC., A
 24 DELAWARE CORPORATION; JOE LIU,
 AN INDIVIDUAL,

FRCP 41(a)

25 Defendant.
 26

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 28 (NO. 3:15-CV-00156-JSW)

JOINT STIP. AND ~~PROPOSED~~ ORDER FOR
 DISMISSAL WITH PREJUDICE

NOTICE OF SETTLEMENT

1
2 Plaintiff Kevin Wellman (“Plaintiff”), Defendant Oplink Communications, LLC
3 (“Oplink”), and Defendant Joe Liu (“Liu”) (collectively “Parties”), by and through their attorneys of
4 record, hereby notify the Court that they have reached a settlement in the above-captioned matter.

5 **STIPULATION FOR ORDER TO DISMISS WITH PREJUDICE**

6 WHEREAS, the Parties have fully executed a Settlement Agreement and General
7 Release of All Claims that was entered into voluntarily and knowingly;

8 WHEREAS, the Parties were each represented by experienced counsel;

9 WHEREAS, the Parties engaged in protracted, arms-length settlement negotiations,
10 including a full day mediation with a retired California Superior Court judge, and the Parties and
11 their counsel each represent that the settlement is a fair and reasonable resolution of disputed claims;

12 WHEREAS, the entire agreed monetary consideration to Plaintiff was tendered to
13 him (in care of his counsel) prior to the filing of this Joint Stipulation and [Proposed] Order for
14 Dismissal with Prejudice;

15 WHEREAS, Plaintiff shall bear his own attorneys’ fees, costs, and expenses,
16 Defendants Oplink and Liu shall not seek to recover attorneys’ fees, costs, or expenses from
17 Plaintiff, and this Stipulation shall have no impact on any agreement, right, or obligation that Oplink
18 and Liu have toward the other with regard to attorneys’ fees, costs, and expenses incurred in this
19 Action;

20 WHEREAS, all that remains to be done in this matter is the entry of an Order for
21 dismissal with prejudice;

22 THEREFORE, THE PARTIES HEREBY STIPULATE THAT:

23 The Court should enter an Order dismissing this action with prejudice.

24 **IT IS SO STIPULATED.**

1 Dated: September 22, 2015

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/s/ Michael L. Tracy
MICHAEL L. TRACY
LAW OFFICES OF MICHAEL TRACY
Attorneys for Plaintiff
KEVIN WELLMAN

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6 Dated: September 22, 2015

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/s/ Arthur M. Eidelhoch
ARTHUR M. EIDELHOCH
GALEN M. LICHTENSTEIN
LITTLER MENDELSON, P.C.
Attorneys for Defendants
OPLINK COMMUNICATIONS, LLC.

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Dated: September 22, 2015

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/s/ Daniel A. Croley
DANIEL A. CROLEY
FUTTERMAN DUPREE DODD CROLEY
MAIER LLP
Attorneys for Defendant
JOE LIU

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ATTESTATION REGARDING ELECTRONIC SIGNATURES

I, Galen M. Lichtenstein, attest pursuant to Civil Local Rule 5-1(i)(3) that all other signatories to this document, on whose behalf this filing is being submitted, concur in the filing's content and have authorized this filing. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: September 22, 2015

By: 
GALEN M. LICHTENSTEIN

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PROPOSED ORDER ON STIPULATION

Having reviewed the foregoing stipulation, and for good cause appearing, the Court hereby grants the Parties' Joint Stipulation for Dismissal with Prejudice, and dismisses Case No. 3:15-CV-00156-JSW with prejudice.

IT IS SO ORDERED:

Dated: September 22, 2015



HONORABLE JEFFREY S. WHITE
United States District Judge

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