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8 Attorneys for Defendant
 APPLE INC.

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

14 ZOMM, INC.,
 15 Plaintiff,
 16 v.
 17 APPLE INC.,
 18 Defendant.

Case No. 4:18-cv-04969-HSG
**STIPULATED REQUEST AND
 ORDER REGARDING
 REMOVAL OF INCORRECTLY
 FILED DOCUMENT (as
 modified)**
 Judge: Haywood S. Gilliam, Jr.

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1 The parties respectfully request that the Court order that the version of the Stipulated
2 Request and Proposed Order to Dismiss Plaintiff's Non-Patent Cause of Action filed docket
3 entry 91 be removed from the docket, because it was incorrectly filed through a clerical error
4 and does not reflect the agreement of the parties. The document subsequently filed by Apple at
5 docket entry 92 is the correct stipulation and reflects the agreement of the parties.

6 Accordingly, the parties requests that docket entry 91 be permanently deleted from the
7 docket.

8 IT IS SO STIPULATED.

9 Dated: September 24, 2019

KELLEY DRYE AND WARREN LLP

11 By: /s/ Michael J. Zinna

12 Michael J. Zinna
13 Attorneys for Plaintiff
ZOMM, INC.

14 Dated: September 24, 2019

O'MELVENY & MYERS LLP

16 By: /s/ David R. Eberhart

17 David R. Eberhart
18 Attorneys for Defendant
APPLE INC.

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20 **FILER'S ATTESTATION**

21 Pursuant to Local Rule 5-1(i)(3), I hereby attest that the other signatory listed, on whose
22 behalf the filing is submitted, concurs in the filing's content and has authorized the filing.

23 /s/ David R. Eberhart

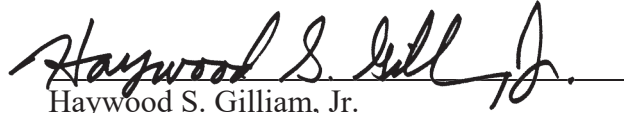
24 David R. Eberhart

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Clerk is directed to
remove docket no. 91 from the docket.

Dated: September 25, 2019


Haywood S. Gilliam, Jr.
United States District Court Judge