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19 *Attorneys for Plaintiff/Counter-Defendant*

20 **UNITED STATES DISTRICT COURT**
 21 **NORTHERN DISTRICT OF CALIFORNIA**
 22 **SAN FRANCISCO DIVISION**

23 **OMNI MEDSCI, INC.,**

24 *Plaintiff/Counter-Defendant,*

25 v.

26 **APPLE, INC.,**

27 *Defendant/Counter-Claimant.*

28 Case No. 19-cv-05924-YGR

Assigned to Hon. Yvonne Gonzalez Rogers

JOINT STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL AS TO U.S.
PATENT NO. 9,757,040 AND U.S. PATENT
NO. 9,861,286

Plaintiff and Counter-Defendant Omni MedSci, Inc. and Defendant and Counter-Claimant Apple Inc. would like to inform the Court that they have resolved their respective claims for relief as to U.S. Patent No. 9,757,040 (“the ‘040 Patent”) and U.S. Patent No. 9,861,286 (“the ‘286 Patent”) and stipulate to dismissal of all claims and counterclaims pertaining to the ‘040 and ‘286 Patents.

1 IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel for the parties

2 that:

- 3 1. Omni agrees to dismiss, with prejudice, all claims for relief pertaining to the '040
4 and '286 Patents asserted against Apple Inc. by Omni MedSci, Inc.,
5 2. Apple agrees to dismiss. Without prejudice, all counterclaims for relief pertaining
6 to the '040 and '286 Patents against Omni MedSci, Inc. by Apple Inc., and
7 3. The parties agree that all attorneys' fees, costs of court and expenses shall be borne
8 by each party incurring the same.

9 Date: January 21, 2020

10 /s/ Thomas A. Lewry
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ATTESTATION OF FILER

Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that concurrence in the filing of this document has been obtained from each of the other Signatories shown above.


Dated: January 21, 2020

By: /s/ Thomas A. Lewry
Thomas A. Lewry (Admitted *Pro Hac Vice*)

Counsel for Plaintiff

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2
3
4 DATED: January 22, 2020


The Honorable Yvonne Gonzalez Rogers
United States District Court Judge