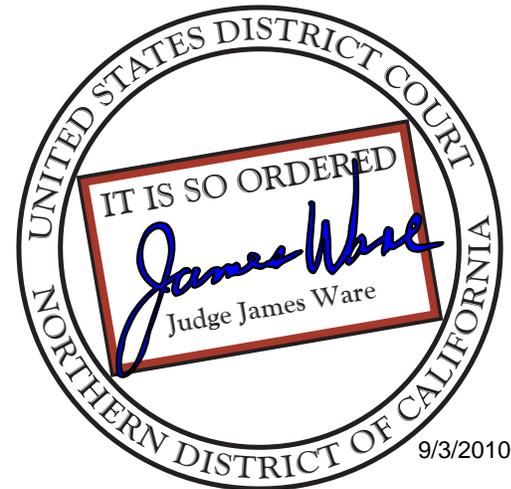


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 15 HARVEY C. JONES, CHRISTINE B. HOBERG



16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN JOSE DIVISION**

19 Case No. 05-00427 JW

20 **STIPULATION OF DISMISSAL**

21 Judge: Hon. James Ware

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 23 **CARLYLE FORTRAN TRUST,**
 24 **Plaintiff,**

25 vs.

26 **NVIDIA CORPORATION, et al.,**
 27 **Defendants.**
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STIPULATION

WHEREAS on August 19, 2010, plaintiff Carlyle Fortran Trust (“Carlyle”) and defendants nVidia Corporation, nVidia US Investment Company f/k/a Titan Acquisition Corp. No. 2, Jen-Hsun Huang, James C. Gaither, A. Brooke Seawell, William J. Miller, Tench Coxe, Mark A. Stevens, Harvey C. Jones, Stephen H. Pettigrew and Christine B. Hoberg (collectively, “NVIDIA”) entered into a settlement agreement pursuant to which Carlyle agreed to dismiss this action with prejudice;

NOW THEREFORE, the parties hereby stipulate and agree as follows:

- 1. The above-entitled action is hereby dismissed with prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.
- 2. Each party shall bear its own attorneys’ fees and costs incurred in the action.

SO STIPULATED.

Dated: August 23, 2010

DLA PIPER LLP (US)

By: /s/ Henry H. Oh
Henry H. Oh
Attorneys for Plaintiff
CARLYLE FORTTRAN TRUST

Dated: August __, 2010

ORRICK HERRINGTON & SUTCLIFFE LLP

By: _____
Karen Johnson-McKewan
Justin M. Lichterman
Attorneys for Defendants
NVIDIA CORPORATION, ET AL.

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STIPULATION

WHEREAS on August 19, 2010, plaintiff Carlyle Fortran Trust (“Carlyle”) and defendants nVidia Corporation, nVidia US Investment Company f/k/a Titan Acquisition Corp. No. 2, Jen-Hsun Huang, James C. Gaither, A. Brooke Seawell, William J. Miller, Tench Coxe, Mark A. Stevens, Harvey C. Jones, Stephen H. Pettigrew and Christine B. Hoberg (collectively, “NVIDIA”) entered into a settlement agreement pursuant to which Carlyle agreed to dismiss this action with prejudice;

NOW THEREFORE, the parties hereby stipulate and agree as follows:

1. The above-entitled action is hereby dismissed with prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.
2. Each party shall bear its own attorneys’ fees and costs incurred in the action.

SO STIPULATED. The Clerk shall close this file.

Dated: August __, 2010

DLA PIPER LLP (US)

By: _____
Henry H. Oh
Attorneys for Plaintiff
CARLYLE FORTRAN TRUST

Dated: August ²³__, 2010

ORRICK HERRINGTON & SUTCLIFFE LLP

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