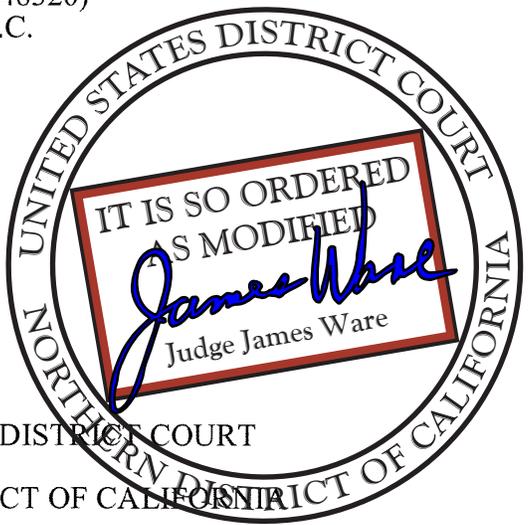


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5 Attorneys for Plaintiff
 6 EXPRESS DIAGNOSTICS INT'L, INC.



7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 EXPRESS DIAGNOSTICS INT'L, INC., an)
 12 Iowa Corporation,)

13 Plaintiff,)

14 vs.)

15 BARRY M. TYDINGS, an individual;)
 16 MERINA T. KISERA, an individual; ZYON)
 INT'L, INC. a Nevada corporation; PREMIUM)
 17 DIAGNOSTICS INT'L, INC., a Nevada)
 corporation; JAMES G. HIPPLE II, an)
 18 individual; DRUG-FREE WORKPLACE)
 ADMINISTRATORS, INC., a Nevada)
 Corporation; JIANFENG "JEFF" CHEN, an)
 19 individual; AMEDICA BIOTECH, INC., a)
 California corporation; PATRICK A.)
 20 BEENTJES, an individual; ELIZABETH R.)
 BEENTJES, an individual; TWIN SPIRIT,)
 21 INC., a Nevada corporation; STEVEN ALAN)
 SPEARES, an individual; and SPEARES)
 22 MEDICAL, INC., a South Carolina corporation,
 and DOES 1 – 50, inclusive,)

23 Defendants.)

CASE NO. C 06-1346 JW (PVT)

**STIPULATION OF DISMISSAL
 OF DEFENDANTS BARRY M.
 TYDINGS, MERINA T. KISERA,
 ZYON INT'L, INC., AND PREMIUM
 DIAGNOSTICS INT'L, INC. ;
 [PROPOSED] ORDER**

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 25 ///
 26 ///
 27 ///
 28 ///

1 IT IS HEREBY STIPULATED between the plaintiff, EXPRESS DIAGNOSTICS INT'L,
2 INC., through its counsel of record, and defendants BARRY M. TYDINGS, MERINA T.
3 KISERA, ZYON INT'L, INC., and PREMIUM DIAGNOSTICS INT'L, INC., that the above-
4 captioned action be and hereby is dismissed with prejudice pursuant to Federal Rules of Civil
5 Procedure §41(a)(1), as to these remaining defendants, each party to bear their own costs and
6 fees.

7 So stipulated.

8 DATED: February 9, 2010

LAW OFFICES OF JOANNA R. MENDOZA, P.C.

9

10 /s/ Joanna R. Mendoza
11 JOANNA R. MENDOZA
12 Attorney for Plaintiff
13 EXPRESS DIAGNOSTICS INT'L, INC.

14 DATED: February 11, 2010

15 Barry M. Tydings
16 BARRY M. TYDINGS
17 Individually and on behalf of ZYON INT'L, INC.

18 DATED: February 11, 2010

19 Merina T. Kiser
20 MERINA T. KISERA
21 Individually and on behalf of PREMIUM
22 DIAGNOSTICS INT'L, INC.

23

24 [PROPOSED]

25 ORDER

26 Since all of the Defendants have been dismissed, the Clerk shall close this file.

27 IT IS SO ORDERED.

28

29 DATED: February 16, 2010

30 James Ware
31 HONORABLE JAMES WARE

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