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12 Co-Lead Counsel for Plaintiffs

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

16 In re ALTERA CORP. DERIVATIVE) LITIGATION) 17 _____) 18 This Document Relates To:) 19 ALL ACTIONS.) 20 _____)	Master File No. C-06-03447-JW NOTICE OF VOLUNTARY DISMISSAL
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1 TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD PLEASE TAKE NOTICE

2 WHEREAS, Plaintiff Michael Nakhimovsky, on May 26, 2006, filed a Shareholder
3 Derivative Complaint in the United States District Court for the Northern District of California,
4 captioned *Nakhimovsky v. Berlan*, No. 5:06-cv-03447-JW (the “*Nakhimovsky Action*”);

5 WHEREAS, Plaintiff LA Murphy, on June 1, 2006, filed a Shareholder Derivative
6 Complaint in the United States District Court for the Northern District of California, captioned
7 *Murphy v. Daane*, Case No. 5:06-CV-03520-JW (the “*Murphy Action*”);

8 WHEREAS, Plaintiff Wayne County Employees’ Retirement System, on July 17, 2006, filed
9 a Shareholder Derivative Complaint in the United States District Court for the Northern District of
10 California, captioned *Wayne County Employees’ Retirement System v. Daane*, Case No. CV 06-
11 4352-RMW (the “*Wayne County Action*”);

12 WHEREAS, Plaintiff Alaska Electrical Pension Fund, on June 22, 2006, filed a Shareholder
13 Derivative Complaint in the United States District Court for the Northern District of California,
14 captioned *Alaska Electrical Pension Fund v. Daane*, Case No. CV 06-03895-PVT (the “*Alaska*
15 *Pension Action*”);

16 WHEREAS, on August 7, 2006, this Court issued an Order consolidating the *Nakhimovsky*,
17 *Murphy*, *Wayne County* and *Alaska Pension* Actions for all purposes under the caption *In re Altera*
18 *Corp. Derivative Litig.*, Case No. 5:06-CV-03447-JW;

19 WHEREAS, on October 3, 2006, this Court issued an Order appointing Alaska Electrical
20 Pension Fund, Wayne County Employees’ Retirement System, Benjamin Savin, and Michael
21 Nakhimovsky as Co-Lead Plaintiffs;

22 WHEREAS, on November 30, 2006, Lead Plaintiffs filed the Consolidated Verified
23 Shareholders Derivative Complaint;

24 WHEREAS, on May 15, 2008, this Court issued an Order Dismissing Lead Plaintiffs’
25 Consolidated Complaint With Leave to Amend;

26 WHEREAS, on June 16, 2008, Lead Plaintiffs filed the First Amended Consolidated
27 Shareholders Derivative Complaint (“*First Amended Consolidated Complaint*”);

28

1 WHEREAS, on July 15, 2008, Altera Corporation filed a Motion to Dismiss Plaintiffs' First
2 Amended Consolidated Verified Shareholders Derivative Complaint for Lack of Standing;

3 WHEREAS, Lead Plaintiffs, through their counsel of record and pursuant to Fed. R. Civ. P.
4 23.1 and 41(a), hereby voluntarily dismiss the case of *In re Altera Corp. Derivative Litigation*, Case
5 No. 5:06-CV-03447-JW; and

6 WHEREAS, the parties agree that they will each bear their own fees and costs.

7 NOW, THEREFORE, NOTICE IS HEREBY GIVEN that pursuant to Federal Rule of Civil
8 Procedure 23.1 and 41(a), Lead Plaintiffs voluntarily dismiss the First Amended Consolidated
9 Complaint without prejudice.

10 DATED: September 15, 2008

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1 I, Benny C. Goodman III, am the ECF User whose ID and password are being used to file
2 this *PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL*. In compliance with General Order 45,
3 X.B., I hereby attest that Mark D. Gursky has concurred in this filing.

4 DATED: September 15, 2008

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15 CORPORATION

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17 this *PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL*. In compliance with General Order 45,
18 X.B., I hereby attest that George H. Brown has concurred in this filing.

19 DATED: September 15, 2008

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2 this *PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL*. In compliance with General Order 45,
3 X.B., I hereby attest that Henry W. Asbill has concurred in this filing.

4 DATED: September 15, 2008

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Attorneys for C. WENDELL BERGERE

15 IT IS SO ORDERED.

16 This Order terminates Docket Item Nos. 138, 142. The Clerk shall close this file.

17 Dated: September 18, 2008

18 
19 JAMES WARE
United States District Judge