

1 KING & SPALDING LLP  
 Todd A. Lorenz, Esq. SBN 175950  
 2 Paul J. Andre, Esq. SBN 196585  
 Four Embarcadero Center, Suite 3500  
 3 San Francisco, California 94111  
 Telephone: (415) 318-1200  
 4 Facsimile: (415) 318-1300  
 tlorenz@kslaw.com  
 5

6 Attorneys for Plaintiff  
 EPPENDORF NORTH AMERICA, INC.  
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8 QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP  
 Doug Colt, SBN 210915  
 555 Twin Dolphin Drive, Suite 560  
 9 Redwood Shores, CA 94065  
 Telephone: (650) 801-5000  
 10 Fax: (650) 801-5100  
 kevinjohnson@quinnemanuel.com  
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12 Attorneys for Defendant,  
 BIO-RAD LABORATORIES, INC.  
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14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN JOSE DIVISION

17	EPPENDORF NORTH AMERICA, INC.,	)	CASE NO.: C07-04587 PVT
		)	
18	Plaintiff,	)	<b>STIPULATION AND ORDER OF</b>
		)	<b>DISMISSAL</b>
19	v.	)	
		)	
20	BIO-RAD LABORATORIES, INC.,	)	
		)	
21	Defendant.	)	
		)	

22

23 **VOLUNTARY DISMISSAL WITH PREJUDICE AND WITHOUT COSTS AND ORDER**  
 24 **PURSUANT TO RULE 41(a)(1), FED. R. CIV. P.**

25 Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff Eppendorf North America, Inc. hereby  
 26 dismisses the Complaint and all causes of action as against Defendant Bio-Rad Laboratories, Inc.  
 27 with prejudice and without costs. Defendant Bio-Rad Laboratories, Inc. hereby dismisses any  
 28

1 counterclaims and any causes of action as against Eppendorf North America, Inc. with prejudice  
2 and without costs.

3 Plaintiff and Defendant hereby stipulate and consent, and this Court hereby adjudges as  
4 follows:

5 1. This Court has jurisdiction over the subject matter and the parties to this action.  
6 and venue is proper in this District.

7 2. All of the parties' claims and counterclaims are dismissed with prejudice.

8 3. The parties shall bear their own costs and attorneys' fees.

9  
10 THE ABOVE ORDER IS HEREBY STIPULATED TO AND AGREED BY THE  
11 PARTIES.

12 Dated: August 1, 2008

Dated: Aug. 1, 2008

13 KING & SPALDING

QUINN EMANUEL URQUHART  
OLIVER & HEDGES, LLP

14 Attorneys for Plaintiff

Attorneys for Defendant

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16   
17 Todd A. Lorenz

  
18 Doug Colt

19 PURSUANT TO THE STIPULATION OF THE PARTIES IT IS SO ORDERED

20  
21 Dated: 9/18, 2008

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23   
24 The Honorable Patricia V. Trumbull  
25 United States Magistrate Judge  
26  
27  
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