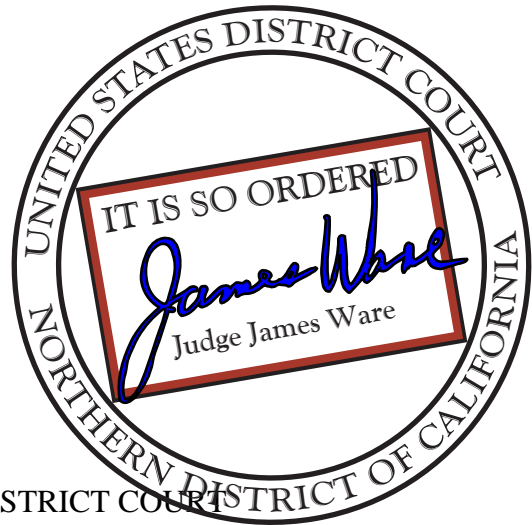


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLIED MATERIALS, INC.,

Plaintiff,

v.

ADVANCED MICRO-FABRICATION
EQUIPMENT, INC. CHINA, ADVANCED
MICRO-FABRICATION EQUIPMENT, INC.
ASIA, ADVANCED MICRO-FABRICATION
EQUIPMENT INC.,

Defendants.

Case No. C07 05248 JW

**JOINT STIPULATION AND
[PROPOSED] ORDER
REGARDING DISMISSAL OF
ACTION**

1 Pursuant to Civil Local Rule 7-12, Rule 41(a)(1)(A) of the Federal Rules of Civil
2 Procedure, and the terms of the parties' Settlement, Release, Assignment and License Agreement,
3 plaintiff Applied Materials, Inc. ("Applied") and defendants Advanced Micro-Fabrication
4 Equipment (Shanghai) Co., Ltd., Advanced Micro-Fabrication Equipment Inc., Asia, and
5 Advanced Micro-Fabrication Equipment Inc. (collectively, "AMEC") hereby stipulate to the
6 dismissal with prejudice of the above-captioned action, including, without limitation, Applied's
7 claims against AMEC and AMEC's counterclaim against Applied. All parties shall bear their
8 own costs, expenses and attorneys' fees.

9 The dismissal of this action is being made on the understanding that an order will be
10 entered dismissing Case No. (2009) Huyizhongminwu (Zhi) (*Advanced Micro-Fabrication*
11 *Equipment Inc. (Shanghai) v. Applied Materials, Inc., et al.*) in the Shanghai No.1 Intermediate
12 People's Court (the "Shanghai Action"), and this stipulation is made subject to the parties' rights
13 to reopen this action in the event that the Shanghai Action is not dismissed by the Shanghai No.1
14 Intermediate People's Court.

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Dated: January 20, 2010

APPLIED MATERIALS, INC.

ADVANCED MICRO-FABRICATION
EQUIPMENT (SHANGHAI) CO., LTD.,
ADVANCED MICRO-FABRICATION
EQUIPMENT INC., ASIA, AND ADVANCED
MICRO-FABRICATION EQUIPMENT INC.

By its attorneys,

By their attorneys,

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EQUIPMENT (SHANGHAI) CO., LTD.,
ADVANCED MICRO-FABRICATION
EQUIPMENT INC., ASIA, ADVANCED MICRO-
FABRICATION EQUIPMENT, INC.


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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Clerk shall close this file.

Dated: January 21, 2010



JAMES WARE
United States District Judge