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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE BRANCH**

OMNIVISION TECHNOLOGIES, INC.,	)	<b>Case No. CV-08-1036 RS</b>
	)	
Plaintiff,	)	<b>STIPULATION AND <del>PROPOSED</del></b>
	)	<b>ORDER OF DISMISSAL WITH</b>
vs.	)	<b>PREJUDICE</b>
	)	
QUALCOMM INCORPORATED,	)	
	)	
Defendant.	)	
	)	

Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and in consideration of a Settlement Agreement entered into by the parties on April 8, 2009, Plaintiff

OmniVision Technologies, Inc. and Defendant Qualcomm Incorporated each hereby stipulates to the dismissal of this action with prejudice, including all claims that the parties have asserted against each other. The parties further stipulate, and request that the Court orders, that the Court retain jurisdiction over the case for the purposes of enforcing, or adjudicating disputes arising from, the parties' settlement agreement. Each party is to bear its own costs and fees.

Dated: April 8, 2009

WINSTON & STRAWN LLP

By: /s/ K. Joon Oh  
Andrew P. Bridges  
Jennifer A. Golinveaux  
K. Joon Oh  
Attorneys for Plaintiff,  
OMNIVISION TECHNOLOGIES, INC.

Dated: April 8, 2009

McDERMOTT WILL & EMERY LLP

By: /s/ T. Ahearn  
Terrence P. McMahan  
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Attorneys for Defendant,  
QUALCOMM INCORPORATED

I, K. Joon Oh, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with General Order 45, X.B., I hereby attest that the parties have concurred in this filing.

Dated: April 8, 2009

By: /s/ K. Joon Oh

**ORDER**

Pursuant to the parties' stipulation, IT IS SO ORDERED.

Dated: April 8, 2009



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RICHARD SEEBORG  
UNITED STATES MAGISTRATE JUDGE

MPK 150955-9.050278.0399

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