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8 VERIFIED IDENTITY PASS, INC., D/B/A CLEAR  
REGISTERED TRAVELER

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16 PRIVA TECHNOLOGIES, INC.

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN JOSE DIVISION

20 VERIFIED IDENTITY PASS, INC., d/b/a  
CLEAR REGISTERED TRAVELER,  
21  
22 Plaintiff and Counter-  
Defendant,  
23  
24 v.  
25 PRIVA TECHNOLOGIES, INC.,  
26 Defendant and  
Counterclaimant.

Case No. CV-08-1123 JW

**STIPULATION AND [PROPOSED]  
ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

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1 Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and 41(c) and in  
2 consideration of a Settlement Agreement entered into by the parties on February 27, 2009,  
3 Plaintiff Verified Identity Pass and Defendant Priva Technologies each hereby stipulates to the  
4 dismissal of this action without prejudice, including all claims and counterclaims that the parties  
5 have asserted against each other. The parties further stipulate, and request that the Court orders,  
6 that the Court retain jurisdiction over the case for the purposes of enforcing, or adjudicating  
7 disputes arising from, the parties' settlement agreement. Each party is to bear its own costs and  
8 fees.

9 Dated: March 4, 2009

DOUGLAS L. HENDRICKS  
ROSEMARY S. TARLTON  
BRIAN L. LEVINE  
MORRISON & FOERSTER LLP

12  
13 By: /s/ Brian L. Levine  
Brian L. Levine  
Attorneys for Plaintiff and Counter-Defendant,  
14 VERIFIED IDENTITY PASS, INC., d/b/a CLEAR  
15 REGISTERED TRAVELER

16 Dated: March 4, 2009

WINSTON & STRAWN LLP

17  
18 By: /s/ K. Joon Oh  
Andrew P. Bridges  
19 Jennifer A. Golinveaux  
K. Joon Oh  
20 Attorneys for Defendant and Counterclaimant  
PRIVA TECHNOLOGIES, INC.

21 I, Brian L. Levine, am the ECF User whose ID and password are being used to file this  
22 Stipulation. In compliance with General Order 45, X.B., I hereby attest that the parties have  
23 concurred in this filing.

24 **ORDER**

25 Pursuant to the parties' stipulation, IT IS SO ORDERED. The Court terminates all pending  
26 deadlines, hearings and motions. The Clerk shall close this file.

27 Dated: March 11, 2009

  
28 JAMES WARE  
UNITED STATES DISTRICT COURT JUDGE