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 INDIAN INSTITUTE OF TECHNOLOGY, KHARAGPUR;
 13 TECHNOLOGY INCUBATION AND ENTREPRENEURSHIP
 TRAINING SOCIETY; and PARTHA P. CHAKRABARTI

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

17 M.A. MOBILE LTD., a limited liability
 18 company chartered in Dominica; and
 MANDANA D. FARHANG,
 19 Plaintiffs,

20 v.

21 INDIAN INSTITUTE OF TECHNOLOGY
 KHARAGPUR, an Indian Institute of
 22 Technology incorporated under the "Institutes
 of Technology Act, 1961"; TECHNOLOGY
 23 INCUBATION AND
 ENTREPRENEURSHIP TRAINING
 24 SOCIETY, an Indian society; PARTHA P.
 CHAKRABARTI; RAKESH GUPTA;
 25 PRAVANJAN CHOUDHRY; and DOES 1
 26 through 100, inclusive,
 27 Defendants.

Case No. C-08-02658-RMW (HRL)

**STIPULATION AND []
 ORDER RE JANUARY 12, 2012,
 ORDER**

Dept: Courtroom 6, 4th Floor
 Judge: Honorable Ronald M. Whyte

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STIPULATION

Defendant Technology Incubation and Entrepreneurship Society (“the Society”), on the one hand; and Plaintiffs Mandana D. Farhang and M.A. Mobile Ltd, on the other, through their undersigned counsel, hereby submit this Stipulation and [Proposed] Order:

Whereas the parties agree that, given the Court’s prior rulings, its January 12, 2012, Order intended to resolve plaintiffs’ Breach of the Non-Use Provision of the NDA claim as applied to the Society;

Whereas the Court has previously held that the TAC fails to state a claim for breach of the Non-Use Provision against Defendant Chakrabarti and against Defendant IITK (*see* Dkt. Nos. 201, 341);

Whereas the parties hereby agree to clarify the Court’s January 12, 2012, Order with respect to the Society’s Motion for Judgment on the Pleadings.

Accordingly, the parties hereby stipulate that plaintiffs’ claim for Breach of the Non-Use Provision of the NDA as applied to the Society is hereby dismissed, and that in all other aspects, the Society’s motion is denied as stated in the Court’s previous order.

This Stipulation is not intended to affect, modify or change any other finding in this Court’s January 12, 2012, Order.

IT IS SO STIPULATED.

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Dated: January 17, 2012

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/ Theresa A. Sutton /s/
Theresa A. Sutton
Attorneys for Defendant
TECHNOLOGY INCUBATION AND
ENTREPRENEURSHIP SOCIETY

Dated: January 17, 2012

SANJIV N. SINGH, A PROFESSIONAL LAW
CORPORATION

/s/ Sanjiv N. Singh /s/
Sanjiv N. Singh
On behalf of Plaintiffs
MANDANA D. FARHANG and M.A. MOBILE

Filer's Attestation: Pursuant to General Order No. 45, §X(B), I attest under penalty of perjury that concurrence in the filing of the document has been obtained from its signatory.

Dated: January 17, 2012

Respectfully submitted,

/s/ Theresa A. Sutton /s/
Theresa A. Sutton

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[] ORDER

Plaintiffs’ claim for Breach of the Non-Use Provision of the NDA, as applied to Defendant Technology Incubation and Entrepreneurship Society (“the Society”), is dismissed. In all other aspects, the Society’s motion is denied as stated in the Court’s previous order.

IT IS SO ORDERED.



Dated: _____

Honorable Ronald M. Whyte
United States District Judge
Northern District of California

