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ENRICO GARGALE
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 ENRICO GARGALE,

12 Plaintiff,

13 v.

14 FORTINET, INC., a Delaware Corporation,
and DOES 1 through 50, inclusive,

15 Defendants.
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Case No. CV-08-3167 JF

**STIPULATION FOR DISMISSAL WITH
PREJUDICE PURSUANT TO
SETTLEMENT AGREEMENT**

CMC Date: July 10, 2009

Before: Hon. Jeremy Fogel

19 Plaintiff Enrico Gargale and defendant Fortinet, Inc., hereby submit this stipulation to
20 dismiss this case with prejudice.

21 WHEREAS, plaintiff filed his complaint on July 1, 2008;

22 WHEREAS, the parties settled this dispute at mediation on April 20, 2009;

23 WHEREAS, defendant Fortinet Inc.'s Board of Directors accepted the proposed
24 settlement within 60 days of the April 20, 2009 mediation and settlement as set forth in the
25 agreement;

26 WHEREAS, the parties have complied with all obligations imposed by the settlement
27 agreement and, therefore, are prepared to agree to a dismissal with prejudice of this matter;
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IT IS HEREBY STIPULATED by and between the parties through their undersigned
counsel of record that this action shall be dismissed in its entirety with prejudice.

Dated: July 6, 2009

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/s/ Michael C. Osborne
Michael C. Osborne
Chad D. Greeson
Attorneys for Plaintiff
ENRICO GARGALE

Dated: July 6, 2009

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/s/ Terry T. Johnson
Terry T. Johnson

Attorneys for Defendant
Fortinet, Inc.

ORDER

Based upon the above stipulation of the parties, IT IS HEREBY ORDERED that the case
is dismissed in its entirety with prejudice.

Dated: July 8, 2009



Hon. Jeremy Fogel
United States District Judge

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Michael C. Osborne attest that concurrence in the filing of this document has been obtained from each of the signatories. I further declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 6th day of July, 2009 at Walnut Creek, California.

Dated: July 6, 2009



Michael C. Osborne
Chad D. Greeson
Attorneys for Plaintiff
ENRICO GARGALE