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5 Attorneys for Plaintiff
6 Digital Background Corporation

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8 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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10 _____)
11 DIGITAL BACKGROUND)
CORPORATION,)
12)
13 *Plaintiff,*)
14 vs.)
15 APPLE, INC.)
16 *Defendant.*)
_____)

Case No.: C 08-03639 RS

~~PROPOSED~~ ORDER OF DISMISSAL
WITH PREJUDICE

17 [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE


18 On this day, Plaintiff DIGITAL BACKGROUND CORPORATION and
19 Defendant APPLE INC., announced to the Court that they have settled their
20 respective claims for relief asserted in this case. The Court, having considered this
21 request, is of the opinion that their request for dismissal should be granted.
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IT IS THEREFORE ORDERED that all claims for relief asserted against APPLE INC. by DIGITAL BACKGROUND CORPORATION and against DIGITAL BACKGROUND CORPORATION by APPLE INC. herein are dismissed, with prejudice.

IT IS FURTHER ORDERED that all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same.

Dated: August 5, 2008


The Honorable Richard Seeborg
United States ~~District Judge~~ Magistrate Judge