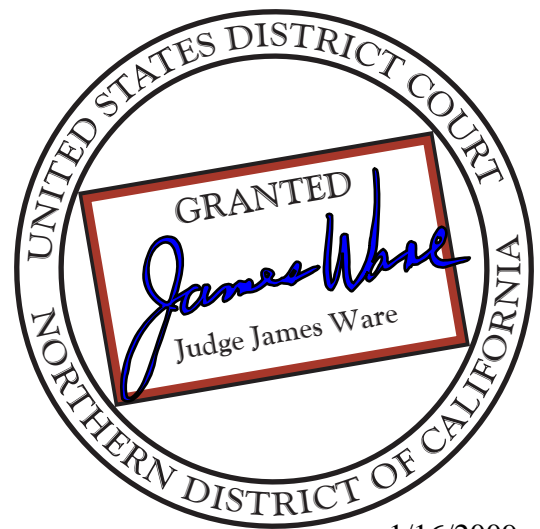


1 EDWARD C. KWOK (SBN 144302)  
 2 CLARK S. STONE (SBN 202123)  
 3 **MacPHERSON KWOK CHEN & HEID LLP**  
 2033 Gateway Place, Suite 400  
 4 San Jose, California 95110  
 Phone: (408) 392-9250  
 Facsimile: (408) 392-9262  
 email:  
 5 [ekwok@macpherson-kwok.com](mailto:ekwok@macpherson-kwok.com)  
 6 [cstone@macpherson-kwok.com](mailto:cstone@macpherson-kwok.com)

7 Attorneys for Plaintiff and Counterclaim-Defendant,  
 8 AXL MUSICAL INSTRUMENTS CO., LTD.

9 NICHOLAS A. CARLIN (SBN 112532)  
 10 MEAGAN MCKINLEY-BALL (SBN 245375)  
 11 **PHILLIPS ERLEWINE & GIVEN LLP**  
 50 California Street, 30<sup>th</sup> Floor  
 San Francisco, California 95111  
 Phone: (415) 398-0900  
 Facsimile: (415) 398-0911  
 email:  
 12 [nac@phillaw.com](mailto:nac@phillaw.com)  
 13 [mmb@phillaw.com](mailto:mmb@phillaw.com)

14 Attorneys for Defendant and Counterclaimant,  
 15 VHT AMPLIFICATION, INC.



1/16/2009

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

19 AXL MUSICAL INSTRUMENTS CO., LTD., a  
 20 California Corporation,  
 21 Plaintiff,  
 22 v.  
 23 VHT AMPLIFICATION, INC., a California  
 24 Corporation,  
 25 Defendant.

CASE NO. C08-03947 JW

**JOINT STIPULATION OF  
 DISMISSAL WITH PREJUDICE  
 PURSUANT TO FED. R. CIV. P.  
 41**

*[Signature]*  
**[PROPOSED] ORDER**

26 AND RELATED COUNTERCLAIMS  
 27

1 IT IS HEREBY STIPULATED by and between Plaintiff and  
2 Counterdefendant AXL MUSICAL INSTRUMENTS CO., LTD. and Defendant  
3 and Counterclaimant VHT AMPLIFICATION, INC., through their designated  
4 counsel, that the above-captioned action be and hereby is dismissed in its entirety,  
5 with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1). Each party to bear its own  
6 costs and attorneys' fees.  
7

8 DATED: January 16, 2009

MacPHERSON KWOK CHEN & HEID LLP

9  
10 By /s/ Clark S. Stone

11 CLARK S. STONE

12 Attorneys for Plaintiff and Counterdefendant  
13 AXL MUSICAL INSTRUMENTS CO., LTD.

14 DATED: January 16, 2009

PHILLIPS ERLEWINE & GIVEN LLP

15  
16 By /s/ Nicholas A. Carlin

17 NICHOLAS A. CARLIN

18 Attorneys for Defendant and Counterclaimant  
19 VHT AMPLIFICATION, INC.

20 *Filer's Attestation: Pursuant to General Order No. 45,*  
21 *Section X.B. regarding non-filing signatories, Clark S.*  
22 *Stone hereby attests that concurrence in the filing of this*  
*Joint Stipulation of Dismissal with Prejudice pursuant to*  
*Fed. R. Civ. p. 41 has been obtained from Nicholas A.*  
*Carlin*

23 IT IS SO ORDERED.

24 The Court terminates all pending deadlines, hearings and motions. The Clerk shall close this file.

25 DATED: Jan 16,, 2009

26   
\_\_\_\_\_

HONORABLE JAMES WARE

27 United States District Judge  
28