

DURIE TANGRI, LLP  
 DARALYN J. DURIE (SBN 169825)  
 ddurie@durietangri.com  
 RYAN M. KENT (SBN 220441)  
 rkent@durietangri.com  
 217 Leidesdorff Street  
 San Francisco, CA 94111  
 Telephone: 415-362-6666  
 Facsimile: 415-236-6300

SCHEEF & STONE, LLP  
 JOHN G. FISCHER (pro hac vice)  
 john.fischer@solidcounsel.com  
 BRYAN HAYNES (pro hac vice)  
 bhaynes@solidcounsel.com  
 ERIC C. WOOD (pro hac vice)  
 eric.wood@solidcounsel.com  
 500 N. Akard, Suite 2700  
 Dallas, Texas 75201  
 Telephone: 214-706-4200  
 Facsimile: 214-706-4242  
 Attorneys for Plaintiff  
 C&C Jewelry Manufacturing, Inc.

Edward Vincent King, Jr. (SBN 085726)  
 KING & KELLEHER, LLP  
 Four Embarcadero Center, 17<sup>th</sup> Floor  
 San Francisco, CA 94111  
 Telephone: (415) 781-2888  
 Facsimile: (415) 781-3011  
 Attorneys for Defendant Trent West

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

C&C JEWELRY MANUFACTURING,  
 INC., a California corporation,

Plaintiff and Counter-  
 Defendant,

v.

TRENT WEST,

Defendant and Counter-  
 Claimant.

Case No. 5:09-cv-01303-EJD

**JOINT STIPULATION AND [~~PROPOSED~~]  
 ORDER OF DISMISSAL WITH  
 PREJUDICE**

Judge: Edward J. Davila

Pursuant to Rules 41(a)(1)(A)(ii) and 41(c) of the Federal Rules of Civil Procedure, Plaintiff/Counter-Defendant C&C Jewelry Mfg. Co, Inc. (“C&C”) and Defendant/Counter-Claimant Trent West (“West”) hereby file this Joint Stipulation of Dismissal With Prejudice as follows:

I.

C&C brought suit against West seeking, *inter alia*, declaratory judgment of non-infringement, invalidity and unenforceability of U.S. Patent Nos. 6,062,045 (the ‘045 Patent), 6,553,667 (the ‘667 Patent), 6,928,734 (the ‘734 Patent), 6,990,736 (the ‘736 Patent), 6,993,842 (the ‘842 Patent), 7,032,314 (the ‘314 Patent) and 7,076,972 (the ‘972 Patent) (Dkt. No. 1).

West filed a counterclaim against C&C for, *inter alia*, infringement of the ‘972 Patent, the ‘734 Patent, the ‘736 Patent and the ‘314 Patent (Dkt. No. 6).

II.

All matters of fact and things in controversy between C&C and West have now been resolved. Therefore, C&C stipulates to dismiss with prejudice all of the claims asserted in its complaint against West (Dkt. No. 1), and West stipulates to dismiss with prejudice all of the claims asserted in his counterclaim against C&C (Dkt. No. 6). Each of the parties agrees to waive any claim for recovery of its respective fees and costs in this action with regard to the claims dismissed herein.

III.

WHEREFORE, Pursuant to Rules 41(a)(1)(A)(ii) and 41(c) of the Federal Rules of Civil Procedure, Plaintiff/Counter-Defendant C&C Jewelry Mfg. Co, Inc. and Defendant/Counter-Claimant Trent West hereby jointly stipulate to a dismissal with prejudice of all claims asserted by the parties against one another in this action.

Respectfully stipulated to by:

SCHEEF & STONE, LLP

KING & KELLEHER, LLP

By: /s/ Eric C. Wood  
Eric C. Wood

By: /s/ Edward Vincent King  
Edward Vincent King

Attorneys for Plaintiff C&C Jewelry Mfg.,  
Inc.

Attorneys for Defendant Trent  
West

Date: January 9, 2012

Date: January 9, 2012

**FILER'S ATTESTATION**

Pursuant to General Order No. 45, Section X (B) regarding signatures, I, Eric C. Wood, attest that concurrence in the filing of this document has been obtained.

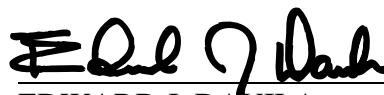
SCHEEF & STONE, LLP

By: /s/ Eric C. Wood  
Eric C. Wood

Attorneys for Plaintiff C&C Jewelry Mfg.,  
Inc.

**IT IS SO ORDERED.** The Clerk shall close this file.

DATED: January 12, 2012.



EDWARD J. DAVILA  
UNITED STATES DISTRICT JUDGE