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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

HERBERT J. MARTIN,

Plaintiff,

v.

D-WAVE SYSTEMS INC. dba D-WAVE
SYSTEMS INTERNATIONAL, INC.; and
DOES 1-50, inclusive,

Defendants.

CASE NO. C 09-03602 RMW (HRL)

**ORDER GRANTING JOINT
MOTION TO DISMISS**

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

Complaint Filed: May 19, 2009
Trial Date: None Set

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The Court hereby grants the Joint Motion to Dismiss.

IT IS ORDERED that the Complaint and Counter-Claims be dismissed in their entirety, with prejudice, with each party to bear their own costs and fees.

IT IS SO ORDERED.

DATED: September 14, 2010


Hon. Ronald M. Whyte
United States District Judge