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Attorneys for Defendants Photon Dynamics,
Inc. and Orbotech, Inc.

16 **IN THE UNITED STATES DISTRICT COURT**
17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN JOSE DIVISION**

19 YIELDBOOST TECHNOLOGIES, INC.,
20 a California corporation,

21 Plaintiff,

22 v.

23 PHOTON DYNAMICS, INC.,
24 a California corporation, and ORBOTECH,
25 INC., a Delaware corporation,

26 Defendants.

) Civil Action No.: 5:09-cv-03828-RS

) **~~PROPOSED~~ ORDER GRANTING**
) **SECOND REQUEST TO EXTEND 30-**
) **DAY CONDITIONAL DISMISSAL**
) **[F.R.C.P. 41(a)]**

) Honorable Richard Seeborg

~~PROPOSED~~ ORDER

In consideration of the parties' second request to extend the previously-entered, voluntary 30-day Conditional Dismissal of the above-titled action, under Federal Rule of Civil Procedure 41(a),

IT IS HEREBY ORDERED THAT all scheduled dates remain VACATED, all claims asserted by Plaintiff herein shall be DISMISSED with prejudice, and all counterclaims asserted by Defendants herein shall be DISMISSED without prejudice, unless reinstated by any party on or before July 19, 2010. Plaintiff or Defendants may restore this matter to the Court's active docket in the event that the parties fail to fully execute a written settlement agreement on or before July 19, 2010.

IT IS SO ORDERED.

Date: 6/18/10



THE HONORABLE RICHARD SEEBORG
United States District Court Judge