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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 REGARDING**  
) **NOTICE OF SETTLEMENT AND**  
) **UNCONDITIONAL DISMISSAL**

) Honorable Richard Seeborg

**PROPOSED ORDER**

In consideration of the parties' Notice of Settlement and Request for Unconditional Dismissal,

IT IS HEREBY ORDERED THAT all scheduled dates remaining in the above-titled action shall be permanently VACATED, all claims asserted by Plaintiff therein shall be unconditionally DISMISSED with prejudice, and all counterclaims asserted by Defendants therein shall be unconditionally DISMISSED without prejudice. All parties shall bear their own costs, expenses and attorneys' fees.

IT IS SO ORDERED.

Dated: 9/23/10



U.S. DISTRICT JUDGE