

1 (Counsel listed below)

4 *E-Filed 10/19/11*

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN JOSE DIVISION**

15 VASUDEVAN SOFTWARE, INC.,

16 Plaintiff,

17 vs.

18 INTERNATIONAL BUSINESS MACHINES
19 CORPORATION and ORACLE
20 CORPORATION
Defendants.

Case No. 5:09-CV-05897 (RS-PSG)

**STIPULATION AND JOINT MOTION TO
DISMISS WITH PREJUDICE AND
[PROPOSED] ORDER**

21
22 Plaintiff Vasudevan Software, Inc. ("VSi") and Defendant International Business Machines
23 Corporation ("IBM"), by and through their counsel of record, hereby stipulate and request that the
24 Court order as follows:

- 25 1. All claims between VSi and IBM, including all claims presented by VSi's
26 Complaint and any IBM counterclaim, shall be dismissed with prejudice; and
27 2. VSi and IBM each shall bear their own costs and attorneys' fees.
28

1 Dated: October 19, 2011

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PURSUANT TO THE STIPULATION, IT IS SO ORDERED this 19 day of October, 2011.



Hon. Richard Seeborg
United States District Judge