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11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 WALTER HAMILTON, Derivatively on)
 Behalf of Nominal Defendant CADENCE)
 15 DESIGN SYSTEMS, INC.,)
 16 Plaintiffs,)

Case No. CV-10-01849

) STIPULATION AND ~~PROPOSED~~ ORDER
) DISMISSING KPMG WITHOUT
) PREJUDICE

17 vs.)

18 MICHAEL J. FISTER, WILLIAM PORTER,)
 JAMES S. MILLER, JR., KEVIN BUSHBY,)
 19 R.L. SMITH MCKEITHEN, LIP-BU TAN,)
 ALBERTO SANGIOVANNI-VINCENTELLI,)
 20 JOHN B. SHOVEN, DONALD L. LUCAS,)
 GEORGE M. SCALISE, ROGER S. SIBONI,)
 21 JOHN A.C. SWAINSON, and KPMG LLP)

22 Individual Defendants,)

23 – and –)

24 CADENCE DESIGN SYSTEMS, INC., a)
 Delaware corporation,)

25 Nominal Defendant.)

26 DEMAND FOR JURY TRIAL

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I, Kathleen A. Herkenhoff, am the ECF User whose ID and password are being use to file this *Stipulation and [Proposed] Order Dismissing KPMG Without Prejudice*. In compliance with General Order 45, X.B., I hereby attest that Dale Barnes has concurred in this filing.

DATED: June 18, 2010

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s/DALE BARNES
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ORDER

The Court, having considered the above Stipulation of Plaintiff and KPMG, hereby dismisses the claims against KPMG in this action without prejudice pursuant to Rules 23.1 and 41 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

DATED: 6/23/10



MAGISTRATE JUDGE HOWARD R. LLOYD
JEREMY FOGEL, United States District Judge

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CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have sent via UPS overnight to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 18, 2010.

s/ KATHLEEN A. HERKENHOFF
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Electronic Mail Notice List

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Manual Notice List

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