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11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

14 ADAM WEISBLATT, JOE HANNA, and
 DAVID TURK, individually and on behalf of
 15 all others similarly situated,

16 Plaintiffs,

17 v.

18 APPLE, INC., AT&T, INC., AT&T
 MOBILITY LLC, and Does 1-10,

19 Defendants.

Case No. 5:10-cv-02553-RMW

**STIPULATION AND ORDER
 OF DISMISSAL OF AT&T INC. WITHOUT
 PREJUDICE**

[F.R.C.P. 41(a); N.D. CAL. CIVIL L.R. 7-12]

The Hon. Ronald M. Whyte

FAC filed: June 23, 2010

1 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and Northern District
2 Local Rule 7-12, it is hereby stipulated by and among plaintiffs Adam Weisblatt, Joe Hanna and
3 David Turk and defendants AT&T, Inc. and AT&T Mobility LLC (collectively, "AT&T") and
4 defendant Apple Inc., through their respective attorneys, that the above-captioned action shall be
5 and is dismissed without prejudice as to AT&T Inc. only. Both parties shall bear their own
6 attorneys' fees and costs.

7 Dated: September 16, 2010

LIEFF, CABRASER, HEIMANN &
BERNSTEIN, LLP

8
9 By: /s/ Roger N. Heller

Roger N. Heller
Attorneys for Plaintiffs

10
11 Dated: September 16, 2010

CROWELL & MORING, LLP

12 By: /s/ M. Kay Martin

13 M. Kay Martin
14 Attorneys for Defendants
AT&T, Inc. and AT&T Mobility LLC

15 Dated: September 16, 2010

MORRISON & FOERSTER LLP

16 By: /s/ Penelope A. Preovolos

17 Penelope A. Preovolos
18 Attorneys for Defendant Apple Inc.

19
20 I, M. Kay Martin, am the ECF User whose ID and password are being used to file this
21 Stipulation. In compliance with General Order 45, section X.B., I hereby attest that concurrence
22 in the filing of the document has been obtained from each of the other signatories.

23 By: /s/ M. Kay Martin
M. Kay Martin

24 **[] ORDER**

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.

26 Date: 9/22/10

27 
28 Hon. Ronald M. Whyte
United States District Judge