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Attorneys for Plaintiff
San Francisco Technology, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

13 San Francisco Technology, Inc.,
14 Plaintiff,
15 v.

Case No. 5:10-cv-02994-JF

**STIPULATED ORDER OF
DISMISSAL**

16 Aero Products International, Inc., BP
17 Lubricants USA Inc., BRH Brands, Inc.,
18 Calico Brands, Inc., Cooper Lighting, LLC,
19 Darex LLC, Dexas International Ltd., Dyna-
20 Gro Nutrition Solutions, Fiskars Brands, Inc.,
21 Global Concepts, Inc., Homax Products, Inc.,
22 Kimberly-Clark Corporation, Kraco
23 Enterprises LLC, Lixit Corporation, Mead
24 Westvaco Corporation, Nutrition 21 Inc.,
25 Oatey Co., Optimum Technologies, Inc.,
26 Newell Rubbermaid Inc., Schick
27 Manufacturing, Inc., The Scotts Company
28 LLC, Sterling International, Inc., Vitamin
Power Incorporated, Woodstream
Corporation, 4-D Design, Inc.,
Defendants.

1 The parties, plaintiff San Francisco Technology, Inc. ("SF Tech") and defendant The
2 Scotts Company LLC ("Scotts"), by counsel, hereby stipulate pursuant to Rule 41(a) (1)(A)(i) of
3 the Federal Rules of Civil Procedure to the dismissal of all claims against The Scotts Company
4 LLC in the lawsuit captioned above, with prejudice. Each party shall bear its own costs and
5 attorneys' fees.

6 SF Tech and Scotts agree and stipulate that any and all claims that have been or could
7 have been brought by SF Tech, on behalf of itself, the United States and the general public,
8 regarding Scotts' alleged false marking or advertising or causing or contributing to false marking
9 or advertising under 35 U.S.C. §292 of any product manufactured or sold are fully resolved and
10 are hereby dismissed with prejudice.

11 SF Tech and Scotts agree and stipulate that Scotts and those acting in concert therewith
12 may have a reasonable period of time in which to sell inventory that has been manufactured on or
13 before the date of this order without further liability.

14 SF Tech and Scotts agree and stipulate that SF Tech is in privity with the United States of
15 America and the general public for the purposes of this litigation.

16 IT IS SO AGREED AND STIPULATED.

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1 Dated: October ²⁹~~27~~, 2010

JONES DAY

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By: /s/ Jane L. Froyd
Jane L. Froyd

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Attorney for Defendant
The Scotts Company LLC

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5 Dated: October ²⁹~~27~~, 2010

Mount & Stoelker, P.C.,

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By: /s/ Dan Fingerman
Dan Fingerman

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Attorney for Plaintiff
San Francisco Technology, Inc.

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11 I attest that concurrence in the filing of this document has been obtained from Jane L.
12 Froyd.

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15 Dated: October ²⁹~~27~~, 2010

Mount & Stoelker, P.C.,

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By: /s/ Dan Fingerman
Dan Fingerman

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Attorney for Plaintiff
San Francisco Technology, Inc.

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20 SO ORDERED:

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Date _____

The Honorable Jeremy Fogel
United States District Court Judge

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