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22 Attorneys for Plaintiffs and Counterclaim Defendants
23 BROCADE COMMUNICATIONS SYSTEMS, INC. and
24 FOUNDRY NETWORKS, LLC

25 UNITED STATES DISTRICT COURT
26 NORTHERN DISTRICT OF CALIFORNIA
27 SAN JOSE DIVISION

28 BROCADE COMMUNICATIONS SYSTEMS,
INC., a Delaware corporation, and FOUNDRY
NETWORKS, LLC, a Delaware limited liability
company,

Plaintiffs and Counterclaim Defendants,

v.

A10 NETWORKS, INC., a California
corporation; LEE CHEN, an individual;
RAJKUMAR JALAN; an individual; RON
SZETO, an individual; DAVID CHEUNG, an
individual; LIANG HAN, an individual; and
STEVE HWANG, an individual,

Defendant and Counterclaimants.

CASE NO. 5:10-cv-03428 PSG

**REVISED [~~PROPOSED~~] STIPULATED
FINAL JUDGMENT**

REVISED [~~PROPOSED~~] STIPULATED
FINAL JUDGMENT
CASE NO. 5:10-CV-03428 PSG

1 **IT IS ORDERED, ADJUDGED AND DECREED** that:

2 1. Judgment is hereby entered in favor of Plaintiffs Brocade Communications
3 Systems, Inc. (“Brocade”) and Foundry Networks, LLC (“Foundry”) against Defendant A10
4 Networks, Inc. (“A10 Networks”), for the amount of \$75,000,000.00 (seventy-five million U.S.
5 dollars).

6 2. Judgment is hereby entered in favor of the Individual Defendants Lee Chen,
7 Rajkumar Jalan, Ronald Szeto, Steve Hwang, Liang Han (collectively, “Individual Defendants”) on all claims by Brocade and Foundry against the Individual Defendants.

8 3. Brocade and Foundry will forebear from execution of this Stipulated Final
9 Judgment so long as A10 is not in breach of the Binding Term Sheet executed on May 20, 2013
10 and Annex A thereto. Upon fulfillment by A10 of all financial, dismissal and withdrawal terms
11 (including at least paragraphs 1-5) of the Binding Term Sheet and Annex A thereto, Brocade and
12 Foundry shall file an Acknowledgement Re Satisfaction of Judgment and [Proposed] Order in the
13 form attached as Exhibit A hereto, and the permanent injunctions entered on January 10, 2013
14 and January 23, 2013 (as modified by the Court’s order of February 12, 2013) shall be dissolved
15 at such time.

16 4 This Stipulated Final Judgment is enforceable and non-appealable. This Stipulated
17 Final Judgment represents a final judgment regarding all claims, counterclaims, and defenses that
18 were or could have been raised in this action by Brocade, Foundry and/or A10.

19 5. This Court shall retain jurisdiction to enforce this Stipulated Final Judgment in
20 accordance with the terms of, and to enforce the terms of, the parties' Binding Term Sheet dated
21 May 20, 2013.

22 6 Each Party to bear its own fees and costs.
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1 Dated: June 7, 2013

MCDERMOTT WILL & EMERY LLP

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/s/ Fabio E. Marino

FABIO E. MARINO

Attorneys for Plaintiffs and Counterclaim Defendants
BROCADE COMMUNICATIONS SYSTEMS, INC.
AND FOUNDRY NETWORKS, LLC

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6 Dated: June 7, 2013

ORRICK, HERRINGTON & SUTCLIFFE LLP

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/s/ Annette L. Hurst

ANNETTE L. HURST

Attorneys for Plaintiffs and Counterclaim Defendants
BROCADE COMMUNICATIONS SYSTEMS, INC.
AND FOUNDRY NETWORKS, LLC

9

10

Dated: June 7, 2013

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER LLP

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12

/s/ Scott R. Mosko

SCOTT R. MOSKO

Attorneys for Defendants and Counterclaimants
A10 NETWORKS, INC., LEE CHEN, RAJKUMAR
JALAN, RON SZETO, AND STEVE HWANG

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Dated: June 7, 2013

LATHAM & WATKINS LLP

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17

/s/ Mark A. Flagel

MARK A. FLAGEL

Attorneys for Defendants and Counterclaimants
A10 NETWORKS, INC.,

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Dated: June 7, 2013

LOSCH & EHRLICH

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/s/ Joseph Ehrlich

JOSEPH EHRLICH

Attorneys for Defendant
LIANG HAN

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24 **IT IS SO ORDERED.**

25 Dated: June 10, 2013



Hon. Paul Singh Grewal

United States Magistrate Judge

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Exhibit A

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Defendant and Counterclaimants.

Case No. 5:10-cv-03428 PSG

**ACKNOWLEDGEMENT OF
SATISFACTION OF JUDGMENT**

**[PROPOSED] ORDER RE
SATISFACTION OF JUDGMENT FILED
CONCURRENTLY HEREWITH**

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Plaintiffs Brocade Communications Systems, Inc. and Foundry Networks, LLC (collectively “Plaintiffs”), located at 130 Holger Way, San Jose, CA 95134, hereby acknowledge the satisfaction of the Revised Stipulated Final Judgment entered by the Court on June ___, 2013 (Dkt. ___), by defendant A10 Networks, Inc. (“A10”), located at 3 West Plumeria Drive, San Jose, CA 95134.

WHEREFORE, Plaintiffs request that the Court enter the [Proposed] Order regarding Satisfaction of Judgment filed concurrently herewith.

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Case No. 5:10-cv-03428 PSG

**REVISED [PROPOSED] ORDER RE
SATISFACTION OF JUDGMENT**

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IT IS HEREBY ORDERED that:

1. Plaintiffs Brocade Communications Systems, Inc. (“Brocade”) and Foundry Networks, LLC (“Foundry”) have acknowledged that A10 Networks, Inc. (“A10”) has fully satisfied the terms of the Stipulated Final Judgment entered by the Court on June ___, 2013 (Dkt. ___).

2. Accordingly, the clerk of this Court shall enter this Satisfaction of Judgment.

3. The patent permanent injunction entered on January 10, 2013 (Dkt. 830) and the trade secret permanent injunction entered on January 23, 2013 (Dkt. 848) (as modified by the Court’s order of February 12, 2013) are hereby DISSOLVED and of no further force or effect.

IT IS SO ORDERED.

Dated:

Hon. Paul Singh Grewal
United States Magistrate Judge