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 INBAC, INC.

10 ADDITIONAL COUNSEL LISTED ON
 11 SIGNATURE PAGE

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

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 17 INBAC, INC.,
 Plaintiff,
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 v.
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 20 ENVIRONMENTAL SYSTEMS
 PRODUCTS, INC.,
 21 Defendant.

CASE NO. CV10-04248 JF (HRL)

**STIPULATION AND ~~PROPOSED~~
 ORDER FOR DISMISSAL OF
 ACTION WITH PREJUDICE**

22
 23 AND RELATED COUNTERCLAIM

24 WHEREAS:

25 A. The parties have reached an agreement settling the disputes which form the subject
 26 of this action, and all related disputes;

27 B. The settlement agreement provides, among other things, that this action shall be
 28 dismissed with prejudice, and that this Court shall retain jurisdiction to enforce the settlement

1 agreement, if necessary:

2 NOW THEREFORE, IT IS HEREBY STIPULATED by and between plaintiff and
3 counterdefendant INTERNATIONAL BUSINESS ACCELERATOR, INC. (incorrectly identified
4 in the pleadings as InBAC, Inc.) (“INBAC”), and defendant and counterclaimant
5 ENVIRONMENTAL SYSTEMS PRODUCTS, INC. (“ESP”), and third party defendant VTT
6 TECHNICAL RESEARCH CENTRE OF FINLAND (incorrectly identified in the counterclaim as
7 Valtion Teknillinen Tutkimuskeskus) (“VTT”), through their undersigned counsel, that:

8 1. The entire action shall be dismissed with prejudice, including the claim of the
9 complaint and the claims of the counterclaim;

10 2. This Court shall retain jurisdiction to enforce the parties’ settlement agreement, and
11 to adjudicate any disputes relating to the performance or non performance by any party of its
12 obligations under the settlement agreement, and for all other purposes relating to the settlement
13 agreement; and,

14 3. Each party shall pay its own costs and attorneys’ fees.

15 Dated: January 18, 2011

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Attorneys for VTT TECHNICAL RESEARCH CENTRE
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ATTESTATION PURSUANT TO GENERAL ORDER 45, § X(B)

I attest that I have obtained the concurrence in the filing of this document from each signatory pursuant to General Order 45, § X(B).

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

Date: January¹⁹, 2011.



JEREMY FOGEL
UNITED STATES DISTRICT JUDGE