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HARPERCOLLINS PUBLISHERS LLC and
18 CYNTHIA SASS

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN JOSE DIVISION

22 SHAKLEE CORPORATION,)

23 Plaintiff,)

24 v.)

25 HARPERCOLLINS PUBLISHERS LLC, a)
26 Delaware Corporation, and CYNTHIA SASS, an)
individual,)

27 Defendant.)
28

CASE NO.: 11-00144-PSG

**STIPULATED WITHDRAWAL OF
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION
AND [XXXXXXXXXXED] ORDER
VACATING HEARING DATE**

1 WHEREAS, Plaintiff's Motion for Preliminary Injunction is currently set for hearing at
2 10:00 a.m. on February 28, 2011 before the Honorable Paul S. Grewal;

3 WHEREAS, the parties have resolved the issues without the need for a motion or
4 hearing, and will soon file a stipulated dismissal;

5 ACCORDINGLY, in order to ease the burden on the parties and this Court,

6 IT IS HEREBY STIPULATED AND AGREED that:

- 7 1. Plaintiff hereby withdraws its Motion for Preliminary Injunction;
8 2. The parties have stipulated, and hereby respectfully request, that the Court take the
9 February 28, 2011 hearing off calendar.

10 Dated: February 27, 2011

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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12 By: /s/ Charles T. Graves
Charles T. Graves

13 Attorneys for Plaintiff
14 SHAKLEE CORPORATION

15 Dated: February 27, 2011

O'MELVENY & MYERS LLP

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17 By: /s/ Ryan J. Padden
Ryan J. Padden

18 Attorneys for Defendants
19 HARPERCOLLINS PUBLISHERS LLC and
20 CYNTHIA SASS

21 PURSUANT TO STIPULATION, IT IS SO ORDERED. The hearing on Plaintiff's Motion for
22 Preliminary Injunction, presently schedule for February 28, 2011, shall be taken off calendar.

23
24 DATED: February 28, 2011

Paul S. Grewal
The Honorable Paul S. Grewal

DECLARATION OF CONSENT

Pursuant to General Order 45, the undersigned certifies that concurrence in the filing of this document was obtained from the other signatory.

Dated: February 27, 2011

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Charles T. Graves
Charles T. Graves

Attorneys for Plaintiff
SHAKLEE CORPORATION

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