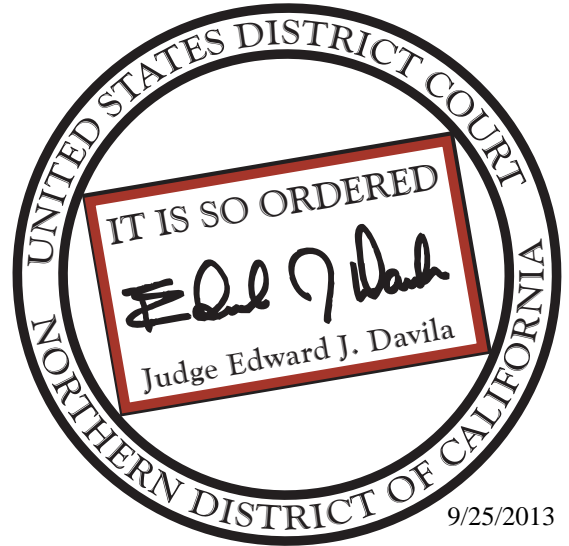


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15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17

18 VMWARE, INC.,  
 19  
 Plaintiff,  
 20  
 v.  
 21 DATA SPEED TECHNOLOGY LLC,  
 22  
 Defendant.  
 23

Case No. 5:13-cv-03823-EJD  
**PLAINTIFF VMWARE'S RULE  
 41(a)(1)(A)(i) NOTICE OF  
 VOLUNTARY DISMISSAL  
 WITHOUT PREJUDICE**  
 Judge: Hon. Edward J. Davila

1 NOTICE IS HEREBY GIVEN that, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules  
2 of Civil Procedure, Plaintiff VMware, Inc., by its undersigned attorneys, voluntarily dismisses  
3 without prejudice the above-captioned action. In accordance with Rule 41(a)(1)(A)(i), this notice  
4 of dismissal is being filed with the Court before service by Defendant of either an answer or a  
5 motion for summary judgment.

6 The Clerk shall close this file.

7 Dated: September 23, 2013

By: /s/ Brooks Beard

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