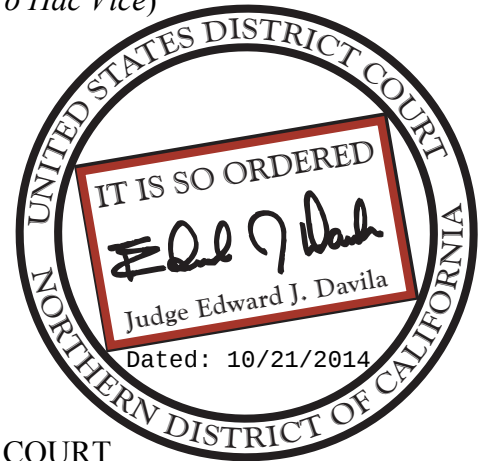


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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

NOAM LAZEBNIK, M.D., on behalf of
 himself and all others similarly situated,

Plaintiff

v.

APPLE, INC.

Defendant

) Case No. 5:13-CV-04145-EJD

) JUDGE EDWARD J. DAVILA

) **STIPULATION OF VOLUNTARY**
) **DISMISSAL OF ACTION WITH**
) **PREJUDICE**

WHEREAS, the above action was filed on September 6, 2013 [Dkt. No. 1];

WHEREAS, on September 19, 2014, the Parties jointly informed the Court that a
 settlement in principle had been reached in this matter [Dkt. No. 46];

WHEREAS, the Parties have now finalized and executed a Settlement Agreement;

1 WHEREAS, the Settlement Agreement calls for a dismissal of this action with prejudice;
2 WHEREAS, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), a plaintiff may voluntarily
3 dismiss an action without a Court order after the filing of an answer only via a stipulation of
4 dismissal "signed by all parties who have appeared";

5 THEREFORE,

6 The parties, hereby, STIPULATE and agree to the dismissal of this action with prejudice.
7 The Clerk shall close this file.

8 Respectfully submitted,

9 Dated: October 20, 2014

10 /s/ Matthew R. Wilson
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29 Dated: October 20, 2014

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Dated: October 20, 2013

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