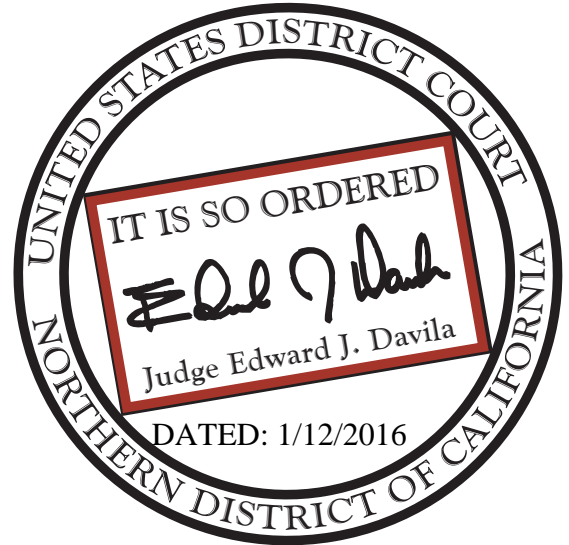


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7 Attorneys for Plaintiff
 24/7 Customer, Inc.
 8



9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN JOSE DIVISION**

12 24/7 Customer, Inc.,
 13 Plaintiff,
 14 v.
 15 24-7 Intouch, and Ascenda USA, Inc.,
 16 Defendants.
 17

Case No. 14-CV-02561-EJD
JOINT MOTION TO DISMISS

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1 Pursuant to a Settlement Agreement, 24/7 Customer, Inc., 24-7 Intouch, Incorporated, and
2 Ascenda USA, Inc., by and through their respective counsel of record, hereby respectfully request
3 that the Court dismiss the above-captioned action as follows:

- 4 1. All claims, counterclaims, and defenses in the above-captioned Action are
5 dismissed with prejudice; and
- 6 2. Each party will bear its own costs and attorney's fees.
- 7 3. The Clerk shall close this file.

8 Dated: January 8, 2016

O'MELVENY & MYERS LLP

9
10 By: /s/ Mark E. Miller
Mark E. Miller
11 Attorneys for Plaintiff 24/7 Customer, Inc.

12 Dated: January 8, 2016

SINGER / BEA LLP

13
14 By: /s/ Benjamin L. Singer
Benjamin L. Singer
15 Attorneys for Defendants 24-7 Intouch and
16 Ascenda USA, Inc.

17
18 **ATTESTATION:** Pursuant to Local Rule 5-1(i)(3) I hereby attest that concurrence in the filing
19 of this document has been obtained from Benjamin Singer.

20 By: s/ Mark E. Miller
Mark E. Miller
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