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13 *Attorneys for Boston Heart Diagnostics*
 14 *Corporation*

15 **UNITED STATES DISTRICT COURT**
 16 **DISTRICT OF NEVADA**

17 BOSTON HEART DIAGNOSTICS
 18 CORPORATION,

19 Plaintiff,

20 vs.

21 MD LABS, INC.

22 Defendant.

Case No.: 3:18-cv-00006

**STIPULATION TO DISMISS WITH
 PREJUDICE**

23 Plaintiff Boston Heart Diagnostics Corporation (“BHDX”) and Defendant MD Labs,
 24 Inc. (“MD Labs,” together with BHDX, the “Parties”), through their counsel, hereby stipulate,
 25 subject to the approval of the Court, to the following:
 26

- 27 1. The Parties agree and stipulate that the above-captioned action, *Boston Heart*
 28 *Diagnostics Corporation v. MD Labs, Inc.*, No. 3:18-cv-0006, which alleges infringement of

1 U.S. Patent No. 8,455,194 against MD Labs (the “Action”), is hereby dismissed with prejudice.

2 2. The Parties agree and stipulate that MD Labs has not asserted any counterclaims
3 in the Action and will not be precluded in any future litigation from challenging the
4 infringement, validity, or enforceability of U.S. Patent No. 8,455,194 and, further, that BHDX
5 will not be precluded from asserting any defenses thereto.
6

7 3. The Parties further agree and stipulate that each party shall bear its own
8 attorneys’ fees and costs incurred in, or in connection with, the Action.

9 **IT IS SO STIPULATED.**

10 DATED: April 17, 2018

11 **HUMPHREY LAW PLLC**

12 **PERKINS COIE LLP**

13 By: /s/ L. Edward Humphrey
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20 -And-

-And-

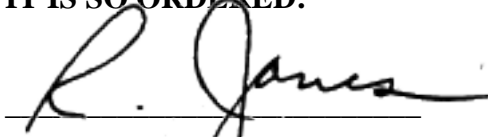
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*Attorneys for Boston Heart
Diagnostics Corporation*

Attorneys for MD Labs, Inc.

IT IS SO ORDERED:



DATED: **April 18, 2018**

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1 **CERTIFICATE OF SERVICE**

2 Pursuant to FRCP 5(b) and 5(d), I certify under penalty of perjury that I am an attorney
3 at Humphrey Law PLLC, 140 Washington Street, Suite 210, Reno, Nevada 89503, and that on
4 April 17, 2018, I served the foregoing documents described below:

- 5
6 • **STIPULATION TO DISMISS WITH PREJUDICE** filed April 17, 2018.

7 I served the above-named document(s) by the following means to the persons as listed
8 below:

9 **ECF System**, to all those persons registered with the Court’s CM/ECF system in
10 this case.

11 **United States mail, First-Class, postage fully prepaid**, deposited for mailing at
12 Reno, Nevada, upon all those persons listed below:

13 Daniel T Shvodian
14 Perkins Coie LLP
15 3150 Porter Drive
16 Palo Alto, CA 94340-1212

17 Michael R. Kealy
18 Ashley C. Nikkel
19 Parsons Behle & Latimer
20 50 W. Liberty Street, Suite 750
21 Reno, NV 89501

22 **I declare under penalty of perjury that the foregoing is true and correct.**

23 DATED: April 17, 2018.

24 **HUMPHREY LAW PLLC**

25 By: /s/ L. Edward Humphrey
26 _____
27 L. Edward Humphrey, Esq.

28 62999849 v1
63001245 v3