

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

TOBY JAMES,

Plaintiff,

VS.

CONCEPTUS, INC.,

Defendant.

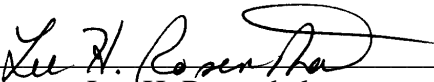
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CIVIL ACTION NO. H-11-1183

**ORDER OF DISMISSAL**

In accordance with the court's Memorandum and Opinion of this date, this action is dismissed without prejudice in favor of arbitration pursuant to the parties' agreement. Each party bears its own costs and fees.

SIGNED on March 12, 2012, at Houston, Texas.

  
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Lee H. Rosenthal  
United States District Judge