

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

ROBERT BERG,

Plaintiff,

v.

Case No. 17-CV-1033-JPS

ARI NETWORK SERVICES INC.,  
WILLIAM H. LUDEN, ROY W.  
OLIVIER, CHAD J. COOPER,  
WILLIAM C. MORTIMORE, ROBERT  
Y. NEWELL, P. LEE POSEIDON,  
EXPEDITION HOLDINGS LLC,  
EXPEDITION MERGER SUB INC.,  
and TRUE WIND CAPITAL LP,

Defendants.

**ORDER**

On September 22, 2017, the parties filed a joint stipulation of dismissal of this action. (Docket #7). The parties seek dismissal of Plaintiff's claims with prejudice, those of the putative class members without prejudice, and the Court's retention of jurisdiction over a potential fee dispute. *Id.* The Court will adopt that stipulation. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii).

Accordingly,

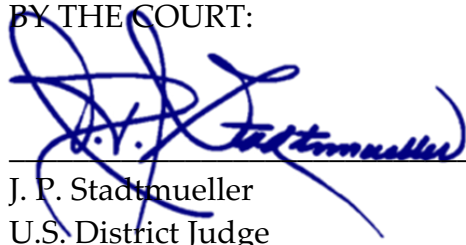
**IT IS ORDERED** that the parties' joint stipulation of dismissal (Docket #7) be and the same is hereby **ADOPTED**;

**IT IS FURTHER ORDERED** that this action be and the same is hereby **DISMISSED** with prejudice as to Plaintiff and without prejudice as to the other members of the putative class; and

**IT IS FURTHER ORDERED** that the parties shall meet and confer concerning Plaintiff's counsel's claim for fees and expenses. If the parties are unable to reach agreement, they must notify the Court, which will set a briefing schedule for the potential fee petition. The Court hereby retains jurisdiction of this action for the sole purpose of adjudicating the potential fee petition. The parties' stipulation is without prejudice as to any position, claim, or defense any party may assert with respect to the prospective fee petition or any matter related thereto, which includes Defendants' right to challenge the basis for and the amount sought by the fee petition. Any fee petition filed in this matter will be a joint submission with that in the *Sean Sharkey v. ARI Network Services, Inc.*, 17-CV-1012-JPS.

Dated at Milwaukee, Wisconsin, this 25th day of September, 2017.

BY THE COURT:



---

J. P. Stadtmueller  
U.S. District Judge