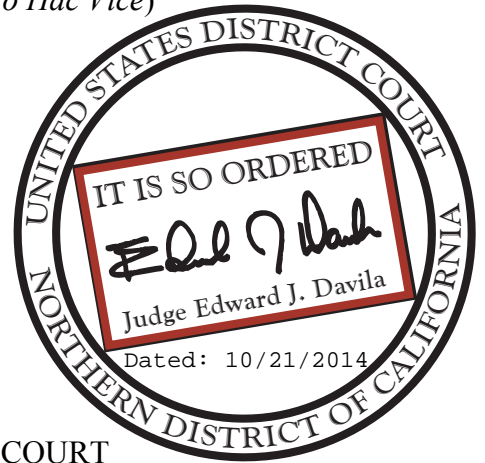


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11 (Additional Counsel on Signature Page)

12 ***Counsel for Plaintiff and the Proposed Class***



13  
 14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

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

18 Plaintiff

19 v.

20 APPLE, INC.

21 Defendant

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

) JUDGE EDWARD J. DAVILA

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

22  
 23  
 24  
 25 WHEREAS, the above action was filed on September 6, 2013 [Dkt. No. 1];

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

28 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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***Counsel for Plaintiff and the Proposed Class***

29 Dated: October 20, 2014

30 /s/ Matthew D. Powers (via email authorization)  
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***Counsel for Defendant Apple, Inc.***

**ATTESTATION OF FILING**

Pursuant to General Order No. 45, Section X(B) regarding signatures, I, Michael J. Boyle, Jr., hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed document.

Dated: October 20, 2013

By: /s/ Michael J. Boyle, Jr.

Michael J. Boyle, Jr.

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*Counsel for Plaintiff and Proposed Class*

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