

1 MATTHEW R. WILSON (CA State Bar No. 290473)
2 MICHAEL J. BOYLE (CA State Bar No. 258560)
3 **MEYER WILSON CO., LPA**
4 1320 Dublin Road, Suite 100
5 Columbus, OH 43215
6 (614) 224-6000
7 (614) 224-6066 (FAX)
8 *mwilson@meyerwilson.com*
9 *mboyle@meyerwilson.com*

10 NICHOLAS A. DICELLO (OH State Bar No. 075745) (admitted *Pro Hac Vice*)
11 DANIEL FRECH (OH State Bar No. 0082737) (admitted *Pro Hac Vice*)
12 **SPANGENBERG SHIBLEY & LIBER LLP**
13 1001 Lakeside Avenue East, Suite 1700
14 Cleveland, OH 44114
15 (216) 696-3232
16 (216) 696-3924 (FAX)
17 *ndicello@spanglaw.com*
18 *dfrech@spanglaw.com*

19 (Additional Counsel on Signature Page)

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

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA
23 SAN JOSE DIVISION

24 NOAM LAZEBNIK, M.D., on behalf of
25 himself and all others similarly situated,

26 Plaintiff

27 v.

28 APPLE, INC.

Defendant

) Case No. 5:13-CV-04145-EJD
)
) JUDGE EDWARD J. DAVILA

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

29 WHEREAS, the above action was filed on September 6, 2013 [Dkt. No. 1];

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

32 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

Respectfully submitted,

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Dated: October 20, 2014

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/s/ Matthew R. Wilson
MATTHEW R. WILSON (CA Bar No. 290473)
MICHAEL J. BOYLE, JR. (CA Bar No. 258560)
MEYER WILSON CO., LPA
1320 Dublin Road, Suite 100
Columbus, OH 43215
(614) 224-6000
(614) 224-6066 (FAX)
mwilson@meyerwilson.com
mboyle@meyerwilson.com

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12

13

14

15

NICHOLAS DICELLO (OH Bar No. 075745)
(admitted *Pro Hac Vice*)
DANIEL FRECH (OH Bar No. 0082737)
(admitted *Pro Hac Vice*)
SPANGENBERG SHIBLEY & LIBER LLP
1001 Lakeside Avenue East, Suite 1700
Cleveland, OH 44114
(216) 696-3232
(216) 696-3924 (FAX)
ndicello@spanglaw.com
dfrech@spanglaw.com

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Counsel for Plaintiff and the Proposed Class

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Dated: October 20, 2014

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/s/ Matthew D. Powers (via email authorization)
MATTHEW D. POWERS (CA Bar No. 212682)
VICTORIA L. WEATHERFORD (CA Bar No.
267499)
O'MELVENY & MYERS, LLP
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111
(415) 984-8700
(415) 984-8701 (FAX)

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mpowers@omm.com
vweatherford@omm.com

Counsel for Defendant Apple, Inc.

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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.
MEYER WILSON CO., LPA
1320 Dublin Road, Suite 100
Columbus, OH 43215
Counsel for Plaintiff and Proposed Class