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*Attorneys for Defendant
NEST LABS, INC.*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE NEST LABS LITIGATION

Case No. 3:14-cv-01363-BLF

**STIPULATION OF VOLUNTARY
DISMISSAL WITH PREJUDICE
[FRCP 41(a)(1)(A)(ii)]**

Honorable Beth Labson Freeman

Justin Darisse ("Plaintiff") and Nest Labs, Inc. ("Defendant"), the parties to the above-titled action (collectively, the "Parties"), HEREBY STIPULATE AND AGREE that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff hereby dismisses all claims in this action against Defendant with prejudice, each party to bear its own fees and costs.

Dated: October 18, 2016

BURSOR & FISHER, P.A.

By: /s/ Yeremey Krivoshey
Yeremey Krivoshey

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Dated: October 18, 2016

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By: /s/ Sunita Bali
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ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I, Yeremey Krivoshey, attest that all signatories listed, and on whose behalf the filing is submitted, concur in the stipulation's content and have authorized the stipulation.

/s/ Yeremey Krivoshey
Yeremey Krivoshey