

1 I. NEEL CHATTERJEE (STATE BAR NO. 173985)
 nchatterjee@orrick.com
 2 THERESA A. SUTTON (STATE BAR NO. 211857)
 tsutton@orrick.com
 3 JULIO C. AVALOS (STATE BAR NO. 255350)
 javalos@orrick.com
 4 ORRICK, HERRINGTON & SUTCLIFFE LLP
 1000 Marsh Road
 5 Menlo Park, CA 94025
 Telephone: 650-614-7400
 6 Facsimile: 650-614-7401

7 Attorneys for Plaintiff
 FACEBOOK, INC.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

12 FACEBOOK, INC.,

13 Plaintiff,

14 v.

15 POWER VENTURES, INC. a Cayman Island
 16 Corporation; STEVE VACHANI, an
 individual; DOE 1, d/b/a POWER.COM,
 17 DOES 2-25, inclusive,

18 Defendants.

Case No. 5:08-cv-05780 JW (HRL)

**STIPULATION OF DISMISSAL
 PURSUANT TO FED. R. CIV. P.
 41(A)(1)**

Judge: Hon. James Ware
 Courtroom: 8, 4th Floor

1 Plaintiff Facebook, Inc. and defendants Power Ventures, Inc.; Steve Vachani; and
2 POWER.COM hereby stipulate, pursuant to Rule 41(a)(1) of the Federal Rules of Civil
3 Procedure, to the dismissal with prejudice of the following claims for relief :

- 4 1. **Fourth Claim for Relief:** Copyright Infringement, 17 U.S.C. § 101, *et seq.*
- 5 2. **Fifth Claim for Relief:** Violation of the Digital Millennium Copyright Act
6 (“DMCA”), 17 U.S.C. §1201 *et. seq.*
- 7 3. **Sixth Claim for Relief:** Trademark Infringement, 15 U.S.C. §§ 1114 and 1125(a)
- 8 4. **Seventh Claim for Relief:** Trademark Infringement Under California Law
- 9 5. **Eighth Claim for Relief:** Unlawful, Unfair and Fraudulent Competition Under
10 California Business & Professions Code § 17200, *et seq.*

11 All parties shall bear their own fees and costs. This stipulation shall have no effect on any
12 other claim in the case.

13
14 Dated: February 17, 2011

ORRICK, HERRINGTON & SUTCLIFFE LLP

15
16 */s/ I. Neel Chatterjee*

17 _____
I. NEEL CHATTERJEE
Attorneys for Plaintiff
FACEBOOK, INC.

18
19 Dated: February 17, 2011

BURSOR & FISHER, P.A.

20 */s/ Scott A. Bursor*

21 _____
SCOTT A. BURSOR
Attorneys for Defendants
22 POWER VENTURES, INC.; STEVE VACHANI;
and POWER.COM

23
24 **Filer’s Attestation:** Pursuant to General Order No. 45, §X(B), I attest under penalty of
25 perjury that concurrence in the filing of the document has been obtained from its signatory.

26 Dated: February 17, 2011

Respectfully submitted,

27 */s/ I. Neel Chatterjee*

28 _____
I. NEEL CHATTERJEE

///

1 PURSUANT TO STIPULATION, IT IS SO ORDERED:

2

3

4 DATED: _____

JAMES WARE
United States District Judge

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28