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Attorneys for Defendants
DATA EAST CORPORATION and
DATA EAST USA, INC.

FILED

NOV 8 1994

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CAPCOM U.S.A., INC.,
a California corporation,

Plaintiff,

v.

DATA EAST CORP., a Japanese
corporation, and
DATA EAST USA, INC.
a California corporation,

Defendants.

Case No. C93 3259 WHO

STIPULATION AND ORDER
OF DISMISSAL WITH PREJUDICE

ENTERED IN CIVIL DOCKET NOV 14 1994
19

CAPCOM U.S.A., INC. ("Capcom"), DATA EAST CORP., a
Japanese corporation, and DATA EAST USA, INC., a
California corporation (collectively "Defendants")
hereby stipulate and agree that Capcom shall
immediately, and no later than November 7, 1994, cause
the lawsuit entitled Capcom U.S.A., Inc., a California

1 Corporation vs. Data East Corporation, a Japanese
2 Corporation, and Data East USA, Inc., a California
3 Corporation, filed in the United States District Court
4 for the Northern District of California (Civil Action
5 No. 93 3259 WHO) to be dismissed with prejudice, each
6 party to bear its attorney's fees and costs.

7
8 PARTIES

9
10 Dated: November 7
October 1994

CAPCOM U.S.A., INC.

R. Hirata

11
12 By Ryuichi Hirata

13 Its President

14
15 Dated: October 31, 1994

DATA EAST CORPORATION

Tetsuo Fukuda

16
17 By TETSUO FUKUDA

18 Its PRESIDENT

19
20 Dated: October 31, 1994

DATA EAST USA, INC.

Tetsuo Fukuda

21
22 By TETSUO FUKUDA

23 Its PRESIDENT

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COUNSEL OF RECORD

Dated: November 7, 1994

MORRISON & FOERSTER

Morrison & Foerster
By Robert Moore

Counsel to Plaintiff
Capcom U.S.A., Inc.

Dated: November 8, 1994

FENWICK & WEST

Fenwick & West
By William A. Fenwick

Counsel to Defendants Data
East Corp., and Data East
USA, Inc.

ORDER

The Court, the Honorable William H. Orrick
presiding, hereby orders and decrees that the First
Amended Complaint in this action, and this action
generally, are hereby dismissed with prejudice pursuant
to the Stipulation of the parties, each party to bear
its attorney's fees and costs.

Dated: November 8, 1994

William H. Orrick

The Hon. William H. Orrick
U.S. District Court Judge