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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

DIAGNOSTIC SYSTEMS CORP.,

Plaintiff,

vs.

SYMANTEC CORPORATION; F-SECURE, INC.; NETIQ CORPORATION; QUEST SOFTWARE, INC.; NETSCOUT SYSTEMS, INC.; INTERNATIONAL BUSINESS MACHINES CORPORATION; SAP AMERICA, INC.; MICROSTRATEGY, INC. d/b/a MSIMICROSTRATEGY INCORPORATED; INFORMATION BUILDERS, INC.; ASPEN TECHNOLOGY, INC. d/b/a MASSACHUSETTS ASPEN TECHNOLOGY, INC.

Defendants.

CASE NO. SA CV 06-1211 DOC (ANx)
LEAD CASE (CONSOLIDATED with Case No. SACVO7-960 AG (MLGx))

PLAINTIFF'S STIPULATION OF DISMISSAL OF ASPEN TECHNOLOGY, INC.

DEMAND FOR JURY TRIAL

The Honorable David O. Carter

DIAGNOSTIC SYSTEMS CORPORATION,

Plaintiff,

vs.

ORACLE CORPORATION; SAS INSTITUTE, INC.; BUSINESS OBJECTS AMERICAS; fka BUSINESS OBJECTS INC.; BMC SOFTWARE, INC.; COGNOS CORPORATION,

Defendants.

CASE NO. SACVO7-960 AG (MLGx)) **(CONSOLIDATED** with Case No. SA CV 06-1211 DOC (ANx) **[LEAD CASE]**

Plaintiff Diagnostic Systems Corporation ("DSC"), and Defendant Aspen Technology, Inc., ("Aspen Tech") hereby inform the Court that they have resolved the dispute between DSC and Aspen Tech.

Accordingly, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, DSC hereby dismisses with prejudice the claims asserted against Aspen Tech in this action, and Aspen Tech dismisses with prejudice all claims and counterclaims for declarations and fees asserted in this action against DSC. The parties stipulate that each party will bear its own costs and attorneys' fees relating to the dismissed claims.

Dated: March 25, 2008

SHORE CHAN BRAGALONE, LLP

By: _____
JEFFREY R. BRAGALONE

Attorneys for Plaintiff
DIAGNOSTIC SYSTEMS CORPORATION

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So Stipulated.

Dated: March 25, 2008

DYKEMA GOSSET LLP

By: Craig N. Hentschel
CRAIG HENTSCHEL

ATTORNEYS FOR DEFENDANT
ASPEN TECHNOLOGY, INC. D/B/A
MASSACHUSETTS ASPEN
TECHNOLOGY, INC.