JEFFREY R. BRAGALONE (*pro hac vice)*
JENNIFER M. RYNELL (*pro hac vice)*
SHORE CHAN BRAGALONE LLP
325 N. St. Paul Street, Suite 4450
Dallas, TX 75201
Telephone: (214) 593-9110
Facsimile: (214) 593-9111
jbragalone@shorechan.com
jrynell@shorechan.com

RONALD P. OINES
MICHAEL D. ADAMS
RUTAN & TUCKER LLP
611 Anton Boulevard, Suite 1400
Costa Mesa, California 92626-1931
Telephone: (714) 641-5100
Facsimile: (714) 546-9035
roines@rutan.com
madams@rutan.com

Attorneys for Plaintiff/Counter-Defendant Diagnostic Systems Corporation

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 INFORMATION BUILDERS, INC.

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 Information Builders, Inc. ("Information Builders") hereby inform the Court that they have resolved the dispute between DSC and Information Builders.

Accordingly, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, DSC hereby dismisses with prejudice the claims asserted against Information Builders in this action, and Information Builders 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: August 19, 2008

SHORE CHAN BRAGALONE, LLP

By: _____
Jeffrey R. Bragalone

Attorneys for Plaintiff
DIAGNOSTIC SYSTEMS CORPORATION

\\

\\

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So Stipulated.

Dated: August 19, 2008

TROUTMAN SANDERS LLP

By: _____
Jeffrey C. Morgan

ATTORNEYS FOR DEFENDANT
INFORMATION BUILDERS, INC.

PROOF OF SERVICE

I, Rachel Myrick, declare:

I am over the age of 18 years, am not a party to this Action, and am employed in the County of Dallas, Texas. My business address is SHORE CHAN BRAGALONE LLP, 325 N. St. Paul, Suite 4450, Dallas, Texas 75201.

On August 19, 2008, I caused to be served the following attached documents:

PLAINTIFF'S STIPULATION OF DISMISSAL OF INFORMATION BUILDERS, INC.

on the following individuals and entities, as addressed below in the Service List, by the means indicated below:

___ **BY FEDERAL EXPRESS.** I caused above-identified document(s) to be placed in a sealed Federal Express envelope(s) with delivery fees fully prepaid, for delivery to addressee(s) on the next business day.

___ **BY FACSIMILE.** I caused the above-identified document(s) to be sent by facsimile transmission to the party(ies) listed below at the facsimile number(s) shown.

___ **BY HAND DELIVERY.** I directed a messenger/courier to personally deliver said document(s) to the addressees identified below on the same business day.

___ **BY U.S. MAIL.** I caused the above-identified document(s) to be deposited for collection at Shore Chan Bragalone following the regular practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence is deposited with the United States Postal Service on this day.

_X_ **ELECTRONIC MAIL.** I caused the above-identified document(s) to be sent by electronic mail via the Court's ECF filing system to all counsel of record for Defendants and electronic mail to all parties who have not registered for ECF filing.

I declare under penalty of perjury that the following is true and correct.

Executed at Dallas, Texas on August 19, 2008.

/s/ Rachel Myrick
Rachel Myrick

SERVICE LIST

CASE NO. SA CV 06-1211 DOC (ANx)[**LEAD CASE**]

DIAGNOSTIC SYSTEMS CORPORATION vs. SYMANTEC, et. al.

(CONSOLIDATED with Case No. SACVO7-960 AG (MLGx))

DIAGNOSTIC SYSTEMS CORPORATION vs. COGNOS CORPORATION, et. al.

Harry A. Olivar, Jr., Esq.
harryolivar@quinnemanuel.com
Jean C. Frizzell, Esq.
jfrizzell@gibbs-bruns.com
Jeremy L. Doyle, Esq.
jdoyle@gibbs-bruns.com
Sam W. Cruse, III, Esq.
scruse@gibbs-bruns.com
Mark A. Guigliano, Esq.
mgiugliano@gibbs-bruns.com

Attorneys for Defendant NetIQ Corporation

Mark A. Flagel, Esq.
mark.flagel@lw.com
David A. Nelson, Esq.
david.nelson@lw.com
Michael F. Harte, Esq.
michael.harte@lw.com
Michael W. DeVries
mike.devries@lw.com

Attorneys for Defendant Symantec Corporation

Steven M. Hanle, Esq.
shanle@sheppardmullin.com
Richard S. Sanders, Esq.
rsanders@cooley.com
Jay Kesten, Esq.
jkesten@cooley.com
Alastair J.M. Findeis, Esq.
afindeis@cooley.com
Dev Batta
dbatta@cooley.com

Attorneys for Defendant NetScout Systems, Inc.

Mark A. Flagel, Esq.
mark.flagel@lw.com
Michael Harte, Esq.
michael.harte@lw.com
David A. Nelson, Esq.
david.nelson@lw.com
Michael W. DeVries
mike.devries@lw.com

Attorneys for Defendant Oracle Corporation

Behrooz Shariati, Esq.
bshariati@jonesday.com
James E. Glore, Esq.
jeglore@jonesday.com
Todd R. Miller

Jessie Amberg, Esq.
jessie.amberg@bingham.com
Ryan M. Nishimoto, Esq.
ryan.nishimoto@bingham.com
Robert W. Stone, Esq.

trmiller@jonesday.com
Greg Lanier
tglanier@jonesday.com

Attorneys for Defendants Business Objects Americas f/k/a Business Objects, Inc. and SAP America, Inc.

Robert W. Stone, Esq.
robertstone@quinnemanuel.com
David T. Pollock, Esq.
davidpollock@quinnemanuel.com
Michael D. Powell, Esq.
mikepowell@quinnemanuel.com
Randall T. Garteiser, Esq.
randygarteiser@quinnemanuel.com
Bobbie Eftekar
bobbieeftekar@quinnemanuel.com

Attorneys for Defendant International Business Machines Corporation

Jeffrey C. Morgan
jeffrey.morgan@troutmansanders.com
Joseph H. Einstein
jeinstein@labaton.com
Jon W. Gurka
jon.gurka@kmob.com

Attorneys for Defendant Information Builders, Inc.

robertstone@quinnemanuel.com
David T. Pollock, Esq.
davidpollock@quinnemanuel.com
Randall T. Garteiser, Esq.
randygarteiser@quinnemanuel.com
Peter Mei
peter.mei@viplawgroup.com

Attorneys for Defendant Cognos Corporation

William McElwain, Esq.
william.mcelwain@wilmerhale.com
James L. Quarles, III, Esq.
james.quarles@wilmerhale.com
William Bohler
william.bohler@wilmerhale.com
Christine Eileen Duh
christine.duh@wilmerhale.com
Elizabeth Rogers
elizabeth.rogers@wilmerhale.com
Timothy R. Jezek
timothy.jezek@wilmerhale.com

Attorneys for Defendant Microstrategy, Inc. d/b/a MSIMicrostrategy Incorporated