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14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 SAN JOSE DIVISION

17 FRESH PRESS, LLC

18 Plaintiff,

19 vs.

20 iTASTE CO., LTD., a/k/a iTaste Co., Ltd.  
 Shanghai, China and Shanghai iTaste  
 21 Electronics Technology Co., Ltd., d/b/a Juisir;  
 FROOTHIE USA LLC, a Delaware limited  
 22 liability company; and  
 XIUXING “LEO” CHEN, an individual,  
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24 Defendants.

CASE NO. 5:17-cv-01921-BLF

**STIPULATION AND ~~PROPOSED~~  
 ORDER FOR VOLUNTARY DISMISSAL  
 WITHOUT PREJUDICE  
 [F.R.C.P. RULE 41(A)(2)]**

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Pursuant to Federal Rule of Civil Procedure 41(a)(2) and based on the representations of each and every Defendant that they are not currently making, using, selling, nor offering for sale in the United States, nor importing into the United States, the accused JuLaVie cold press juicer nor any product not colorably different from same, and nor do they have current plans to enter the U.S. market to commercialize any such products, the parties hereby stipulate and jointly move that this Court dismiss this action without prejudice, with each party to bear its own costs and attorneys' fees.

The parties are not waiving any claims or arguments nor acquiescing to any actions of any parties and reserve all rights to pursue these claims (and any others now existing or later arising) in the future.

1 Dated: July 2, 2020

QUINN EMANUEL URQUHART & SULLIVAN, LLP

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By: /s/ Joseph Milowic III  
Joseph Milowic III

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Attorneys for Plaintiff  
FRESH PRESS, LLC

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7 Dated: July 2, 2020

FENWICK & WEST LLP

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By: /s/ David Hadden  
David Hadden

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Attorneys for Defendants  
iTASTE CO., LTD., FROOTHIE USA  
LLC, and XIUXING "LEO" CHEN

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**ATTESTATION PURSUANT TO CIVIL L.R. 5-1(i)(3)**

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Pursuant to Civil L.R. 5-1(i)(3), I attest that concurrence in the filing of this document has  
16 been obtained from its signatories.

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Dated: July 2, 2020

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By: /s/ Joseph Milowic III  
Joseph Milowic III

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**IT IS SO ORDERED.**

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DATED: July 6, 2020



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Hon. Beth Labson Freeman  
United States District Judge

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