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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

AMERANTH, INC.

Plaintiff,

v.

EMN8, INC.,

Defendant.

Case No. 12-cv-1659-JLS-NLS
[Consolidated with Case No.11-cv-
1810-JLS-NLS]

**JOINT MOTION OF PLAINTIFF
AMERANTH, INC. AND
DEFENDANT EMN8, INC. FOR
VOLUNTARY DISMISSAL OF
COMPLAINT AND
COUNTERCLAIMS WITH
PREJUDICE**

1 In light of a confidential Settlement and License Agreement entered into
2 between Plaintiff Ameranth, Inc. ("Ameranth"), and Defendant and
3 Counterclaimant EMN8, Inc. ("EMN8"), Ameranth and EMN8 now stipulate and
4 jointly move the Court pursuant to Rule 41(a)(1) and Rule 41(c) of the Federal
5 Rules of Civil Procedure to dismiss Ameranth's complaint in this matter against
6 EMN8 and EMN8's counterclaims in this matter against Ameranth with
7 prejudice, with each side bearing its own fees and costs incurred as to each other.

8 Respectfully submitted,

9 Dated: July 12, 2013

CALDARELLI HEJMANOWSKI & PAGE LLP

10 By: /s/ William J. Caldarelli

11 William J. Caldarelli

12 FABIANO LAW FIRM, P.C.

13 Michael D. Fabiano

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16 WATTS LAW OFFICES

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18 **Attorneys for Plaintiff Ameranth, Inc.**

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21 Dated: July 12, 2013

KNOBBE, MARTENS, OLSON & BEAR, LLP

22 By: /s/ Boris Zelkind

23 Frederick S. Berretta

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25 **Attorneys for Defendant EMN8, Inc.**

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SIGNATURE CERTIFICATION

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to Boris Zelkind, counsel for EMN8, Inc., and that I have obtained Mr. Zelkind's authorization to affix his electronic signature to this document.

/s/ William J. Caldarelli
William J. Caldarelli