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11 Attorneys for Plaintiffs

12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

14 RESMED INC., a Delaware Corporation,  
15 RESMED CORP, a Minnesota Corporation,  
and RESMED LTD, an Australian  
16 Corporation,

17 Plaintiffs,

18 v.

19 FISHER & PAYKEL HEALTHCARE  
CORPORATION LIMITED, a New Zealand  
20 Corporation, FISHER & PAYKEL  
HEALTHCARE LIMITED, a New Zealand  
21 Corporation, FISHER & PAYKEL  
HEALTHCARE INC., a California  
22 Corporation, FISHER & PAYKEL  
HOLDINGS INC., a California Corporation,  
23 and FISHER & PAYKEL HEALTHCARE  
24 DISTRIBUTION INC., a California  
25 Corporation

26 Defendants.

Case No. 3:16-CV-2072-JAH-MDD

**NOTICE OF VOLUNTARY  
DISMISSAL WITHOUT  
PREJUDICE**

JURY TRIAL DEMANDED

Case No. 3:16-CV-2072-JAH-MDD

1 Plaintiffs ResMed Inc., ResMed Corp and ResMed Ltd (“ResMed”) hereby  
2 provides notice that pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil  
3 Procedure, Plaintiffs hereby dismisses this action without prejudice.

4 ResMed notes that Defendants filed a case against ResMed on the same day  
5 ResMed filed this case against Defendants—Case No. 3:16-CV-2068-GPC-WVG.  
6 To simplify the procedural structure, ResMed will file its claims against Defendants  
7 with its Answer and Counterclaims in that action.

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9  
10 Dated: August 18, 2016

FISH & RICHARDSON P.C.

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12 By: /s/ Roger A. Denning

Roger A. Denning

[denning@fr.com](mailto:denning@fr.com)

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15 Attorneys for Defendant ResMed Corp,  
16 ResMed Corp and ResMed Ltd  
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1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that a true and correct copy of the above and  
3 foregoing document has been served on August 18, 2016 to all counsel of record  
4 who are deemed to have consented to electronic service via the Court's CM/ECF  
5 system. Any other counsel of record will be served by electronic mail and regular  
6 mail.

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8 */s/ Roger A. Denning* \_\_\_\_\_  
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