

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)
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ATTORNEY FOR (Name) Plaintiffs Mars, Incorporated, et al.

FOR COURT USE ONLY

DISMISSAL ENTERED

ELECTRONICALLY FILED
Superior Court of California,
County of San Francisco
12/16/2015
Clerk of the Court
BY: VANESSA WU
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco

STREET ADDRESS 400 McAllister Street
MAILING ADDRESS 400 McAllister Street
CITY AND ZIP CODE San Francisco, CA 94102
BRANCH NAME San Francisco

PLAINTIFF/PETITIONER: Mars, Incorporated and Mars Information Services, Inc.
DEFENDANT/RESPONDENT: Oracle Corporation and Oracle America, Inc.

REQUEST FOR DISMISSAL

CASE NUMBER CGC-15-548606

A conformed copy will not be returned by the clerk unless a method of return is provided with the document.

This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)

1. TO THE CLERK: Please dismiss this action as follows:

- a. (1) [X] With prejudice (2) [ ] Without prejudice
b. (1) [X] Complaint (2) [ ] Petition
(3) [ ] Cross-complaint filed by (name):
(4) [ ] Cross-complaint filed by (name):
(5) [ ] Entire action of all parties and all causes of action
(6) [ ] Other (specify):\*

on (date):
on (date):

2. (Complete in all cases except family law cases.)

The court [ ] did [ ] did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed).

Date: December 15, 2015

Arthur S. Beeman

(TYPE OR PRINT NAME OF [X] ATTORNEY [ ] PARTY WITHOUT ATTORNEY)

[Handwritten Signature of Arthur S. Beeman]

(SIGNATURE)

Attorney or party without attorney for: Mars, Incorporated, et al.

- [X] Plaintiff/Petitioner [ ] Defendant/Respondent
[ ] Cross-Complainant

\*If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

TO THE CLERK: Consent to the above dismissal is hereby given.\*\*

Date:

(TYPE OR PRINT NAME OF [ ] ATTORNEY [ ] PARTY WITHOUT ATTORNEY)

[Handwritten Signature]

(SIGNATURE)

Attorney or party without attorney for:

- [ ] Plaintiff/Petitioner [ ] Defendant/Respondent
[ ] Cross-Complainant

\*\* If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581 (i) or (j)

(To be completed by clerk)

- 4. [ ] Dismissal entered as requested on (date):
5. [ ] Dismissal entered on (date): as to only (name):
6. [ ] Dismissal not entered as requested for the following reasons (specify):

- 7. a. [ ] Attorney or party without attorney notified on (date):
b. [ ] Attorney or party without attorney not notified. Filing party failed to provide
[ ] a copy to be conformed [ ] means to return conformed copy

Date: Clerk, by Deputy

PLAINTIFF/PETITIONER: Mars, Incorporated, et al. DEFENDANT/RESPONDENT: Oracle Corporation and Oracle America, Inc.	CGC-15-548606
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**COURT'S RECOVERY OF WAIVED COURT FEES AND COSTS**

If a party whose court fees and costs were initially waived has recovered or will recover \$10,000 or more in value by way of settlement, compromise, arbitration award, mediation settlement, or other means, the court has a statutory lien on that recovery. The court may refuse to dismiss the case until the lien is satisfied. (Gov. Code, § 68637.)

**Declaration Concerning Waived Court Fees**

1. The court waived court fees and costs in this action for *(name)*:
2. The person named in item 1 is *(check one below)*:
  - a.  not recovering anything of value by this action.
  - b.  recovering less than \$10,000 in value by this action.
  - c.  recovering \$10,000 or more in value by this action. *(If item 2c is checked, item 3 must be completed.)*
3.  All court fees and court costs that were waived in this action have been paid to the court *(check one)*:  Yes  No

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF  ATTORNEY  PARTY MAKING DECLARATION)



\_\_\_\_\_  
 (SIGNATURE)

1 MARS, INCORPORATED, MARS INFORMATION SERVICES, INC.  
2 V.  
3 ORACLE CORPORATION, ORACLE AMERICA, INC.

4 **PROOF OF SERVICE**

5 I am a citizen of the United States. My business address is Arent Fox LLP, 55 Second  
6 Street, 21st Floor, San Francisco, California 94105-3470. I am employed in the County of San  
7 Francisco where this service occurs. I am over the age of 18 years, and not a party to the within  
8 cause.

9 On the date set forth below, according to ordinary business practice, I served the  
10 foregoing document(s) described as:

11 **REQUEST FOR DISMISSAL**

12  (BY E-MAIL) On this date, I personally transmitted the foregoing document(s)  
13 via electronic mail to the e-mail address(es) of the person(s) on the attached  
14 service list.


15  (BY MAIL) I am readily familiar with my employer's business practice for  
16 collection and processing of correspondence for mailing with the U.S. Postal  
17 Service, and that practice is that correspondence is deposited with the U.S. Postal  
18 Service the same day as the day of collection in the ordinary course of business.  
19 On this date, I placed the document(s) in envelopes addressed to the person(s) on  
20 the attached service list and sealed and placed the envelopes for collection and  
21 mailing following ordinary business practices.

22  (BY PERSONAL SERVICE) On this date, I caused to be delivered by hand  
23 envelope(s) containing the document(s) to the persons(s) on the attached service  
24 list.

25  (BY OVERNIGHT DELIVERY) On this date, I placed the documents in  
26 envelope(s) addressed to the person(s) on the attached service list, and caused  
27 those envelopes to be delivered to an overnight delivery carrier, with delivery  
28 fees provided for, for next-business-day delivery to whom it is to be served.

(State) I declare under penalty of perjury under the laws of the State of  
California that the foregoing is true and correct.

Executed on December 15, 2015, 2015 at San Francisco, California.

  
Kim Denison

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SERVICE LIST

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