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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,  
16 and RESMED LTD, an Australian  
Corporation,

17 Plaintiffs,

18 v.

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

8  
9  
10 Dated: August 18, 2016

FISH & RICHARDSON P.C.

11  
12 By: /s/ Roger A. Denning

13 Roger A. Denning

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

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

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

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/s/ *Roger A. Denning*