

No. 10-15222

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ALEXIS DEGELMANN, ET AL.,

Plaintiff-Appellants,

v.

ADVANCED MEDICAL OPTICS, INC.,

Defendant-Appellee

Appeal from Entry of Final Judgment by the
United States District Court for the
Northern District of California, D.C. No. C07-3107-PJH
Entered on January 4, 2010

NOTICE OF SETTLEMENT

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Please take notice the parties to this appeal have reached a full, complete and confidential settlement of this action and have signed a settlement term sheet. The parties are in the process of preparing a full settlement agreement and upon execution of that settlement agreement will submit, pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure, a joint motion requesting dismissal of Appeal No. 10-15222 . Thus, the parties request that the Court take no further action on this appeal.

Respectfully submitted,

/s/ Ronald T. Labriola

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2012, I electronically filed the foregoing with the Clerk of the court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system. I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within three (3) calendar days to the following non CM/ECF participant:

Mark P. Robinson ROBINSON CALCAGNIE & ROBINSON Suite 700 620 Newport Center Dr. Newport Beach, CA 92660	Not Registered
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Dated: August 27, 2012

/s/ Ben D. Whitwell