

1 [Stipulating parties listed on signature page]

2  
3 **UNITED STATES DISTRICT COURT**  
4 **NORTHERN DISTRICT OF CALIFORNIA**  
5 **OAKLAND DIVISION**  
6

7 THE SOLYNDRA RESIDUAL TRUST, BY  
8 AND THROUGH ITS LIQUIDATING  
9 TRUSTEE, R. TODD NEILSON,

**Case No. 12-cv-5272 (SBA) (EDL)**  
**STIPULATION OF DISMISSAL**

10 Plaintiff,

11 vs.

12 SUNTECH POWER HOLDINGS CO., LTD.  
13 ET AL.,

14 Defendants.

15 Plaintiff The Solyndra Residual Trust, by and through its Liquidating Trustee R. Todd  
16 Neilson (“Solyndra”) and Defendant Suntech Power Holdings Co., Ltd. (“Suntech Power”) hereby  
17 stipulate as follows:

18 1. Solyndra and Suntech Power seek dismissal of this action as brought against  
19 Suntech Power only. Solyndra and Suntech Power seek such dismissal with prejudice.

20 2. Solyndra and Suntech Power agree that each party shall bear its own costs and  
21 attorneys’ fees in connection with this action.

22 3. This stipulation does not affect the rights or claims of Solyndra against any  
23 other defendant in the above captioned litigation other than Suntech Power. Specifically, Solyndra’s  
24 claims remain pending against Suntech Americas, Inc.

25 4. WHEREFORE, the parties respectfully request that this Court issue an Order  
26 of Dismissal with Prejudice with respect to Solyndra’s action as brought against Suntech Power  
27 only.  
28

Winston & Strawn LLP  
101 California Street  
San Francisco, CA 94111-5802

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Sandra B. Armstrong  
United States District Judge

Winston & Strawn LLP  
101 California Street  
San Francisco, CA 94111-5802

**ATTESTATION OF CONCURRENCE IN FILING**

Pursuant to the Northern District of California’s General Order No. 45, Section X(B) and Local Rule 5-1(i)(3), the filer attests that the concurrence in the filing of this document has been obtained from each of the below signatories.

Dated: June 3, 2016 \_\_\_\_\_

By: /s/ W. Gordon Dobie \_\_\_\_\_

WINSTON & STRAWN LLP  
W. Gordon Dobie (admitted *pro hac vice*)  
wdobie@winston.com  
William C. O’Neil (admitted *pro hac vice*)  
woneil@winston.com  
Kathryn W. Bayer (admitted *pro hac vice*)  
kbayer@winston.com  
35 West Wacker Drive  
Chicago, IL 60601  
Telephone: 312-558-5600  
Facsimile: 312-558-5700

WINSTON & STRAWN LLP  
Robert B. Pringle (SBN: 51365)  
rpringle@winston.com  
Eric E. Sagerman (SBN: 155496)  
esagerman@winston.com  
101 California Street  
San Francisco, CA 94111-5802  
Telephone: 415-591-1000  
Facsimile: 415-591-1400

*Counsel for Plaintiff  
The Solyndra Residual Trust*

By: /s/ Mikael A. Abye

SHEARMAN & STERLING LLP  
Mikael A. Abye (SBN: 233458)  
maybe@shearman.com  
535 Mission Street, 25th Floor  
San Francisco, CA 94105  
415-616-1197

*Counsel for Defendant Suntech Power Holdings  
Co., Ltd.*

Winston & Strawn LLP  
101 California Street  
San Francisco, CA 94111-5802