

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA

SD3, LLC AND SAWSTOP, LLC,

*Plaintiffs,*

v.

BLACK & DECKER (U.S.), INC., ET AL.,

*Defendants.*

Civil Action No. 1:14-CV-191-CMH-IDD

**STIPULATION OF DISMISSAL OF CLAIMS**  
**AGAINST HITACHI KOKI CO. USA LTD.**

WHEREAS, Plaintiffs SD3, LLC ("SD3") and Sawstop, LLC ("Sawstop") commenced the above-referenced action in the United States District Court for the Eastern District of Virginia on February 20, 2014, styled *SD3, LLC and SawStop, LLC v. Black & Decker (U.S.), Inc., et. al.*, Case No. 1:14-cv-00191, by filing a Complaint and Summons (the "Antitrust Litigation").

WHEREAS, SD3 and SawStop filed an Amended Complaint in the Antitrust Litigation on April 23, 2014.

WHEREAS, all litigation between Hitachi Koki USA Ltd. ("Hitachi Koki USA"), SD3, LLC ("SD3") and Sawstop, LLC ("Sawstop") has been resolved.

WHEREAS, Hitachi, SD3 and Sawstop have agreed to bear their own costs and expenses.

WHEREAS, SD3 and Sawstop are not dismissing their claims against any Defendant other than Hitachi Koki USA.

NOW, THEREFORE, Hitachi Koki USA, SD3 and Sawstop hereby stipulate to dismissal of all claims against Hitachi Koki USA with prejudice, and ask the Court to order, pursuant to Federal Rule of Civil Procedure 41(a), that any and all claims against

Defendant Hitachi Koki USA Ltd. are dismissed WITH PREJUDICE.

Dated: April 11, 2016

Respectfully submitted,

/s/

---

Daniel M. Cohen, Esq. (VSB # 79836)  
Cuneo Gilbert & LaDuca, LLP  
211 North Union Street, Suite 100  
Alexandria, Virginia 22314  
Telephone: (202)789-3960  
Facsimile: (202)789-1813  
Email: [danielc@cuneolaw.com](mailto:danielc@cuneolaw.com)

Jonathan W. Cuneo (admitted *pro hac vice*)  
Joel Davidow (admitted *pro hac vice*)  
Matthew E. Miller (admitted *pro hac vice*)  
Jennifer E. Kelly (admitted *pro hac vice*)  
Cuneo Gilbert & LaDuca, LLP  
507 C Street, NE  
Washington, DC 20002  
Telephone: (202)789-3960  
Facsimile: (202)789-1813  
Email: [jonc@cuneolaw.com](mailto:jonc@cuneolaw.com)  
Email: [joel@cuneolaw.com](mailto:joel@cuneolaw.com)  
Email: [mmiller@cuneolaw.com](mailto:mmiller@cuneolaw.com)  
Email: [jkelly@cuneolaw.com](mailto:jkelly@cuneolaw.com)

*Counsel for Plaintiffs SD3, LLC and Sawstop, LLC*

/s/ by DMC

---

Mary D. Hallerman (VSB # 80430)  
Paul Devinsky (admitted *pro hac vice*)  
Stefan Meisner (admitted *pro hac vice*)  
Lisa Peterson (admitted *pro hac vice*)  
McDermott Will & Emery LLP  
500 North Capitol Street NW  
Washington, DC 20001  
Telephone: 202.756.8000  
Facsimile: 202.756.8087  
Email: [mhallerman@mwe.com](mailto:mhallerman@mwe.com)  
[pdevinsky@mwe.com](mailto:pdevinsky@mwe.com)  
[smeisner@mwe.com](mailto:smeisner@mwe.com)  
[lpeterson@mwe.com](mailto:lpeterson@mwe.com)

*Counsel for Defendant Hitachi Koki USA Ltd*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April \_\_, 2016

---

Hon. Claude M. Hilton  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on April 11, 2016, I filed a copy of the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

/s/

\_\_\_\_\_  
Daniel M. Cohen, Esq.  
Virginia Bar Number 79836  
Attorney for SD3, LLC and SawStop,  
LLC  
Cuneo Gilbert & LaDuca, LLP  
211 North Union Street, Suite 100  
Alexandria, Virginia 22314  
Telephone: (202)789-3960  
Facsimile: (202)789-1813  
danielc@cuneolaw.com