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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

SHARP CORPORATION,

Plaintiff,

vs.

HISENSE CO., LTD.; HISENSE USA CORPORATION; HISENSE ELECTRIC CO., LTD; HISENSE USA MULTIMEDIA R&D CENTER, INC.; and HISENSE INTERNATIONAL (HONG KONG) AMERICA INVESTMENT CO., LTD.,

Defendants.

Case No. 17-CV-3341-YGR
The Hon. Yvonne Gonzalez Rogers

NOTICE OF DISMISSAL OF DEFENDANT HISENSE CO., LTD. ONLY PURSUANT TO RULE 41(A)

Judge: Hon. Yvonne Gonzalez Rogers

Trial Date: None Set

TO THE COURT AND TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:

Pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1)(A)(i), plaintiff Sharp Corporation ("Sharp") hereby dismisses this action without prejudice as to defendant Hisense Co., Ltd. only. *Pedrina v. Chun*, 987 F.2d 608, 609-10 (9th Cir. 1993) (holding that, in a case involving multiple defendants, Rule 41(a)(1) allows a plaintiff to dismiss "fewer than all of the named defendants" without a court order).

Sharp dismisses Hisense Co., Ltd. ("Hisense Co.") – the party that removed this action to this Court from San Francisco Superior Court under the Foreign Sovereign Immunities Act of 1976 claiming to be an "agency or instrumentality" of the Qingdao Municipal government, a political subdivision of China (Dkt. 1; 28 U.S.C. § 1603(b) (defining "agency or instrumentality of a foreign state")) – in the interest of judicial efficiency, to preserve Sharp's right to have its claims tried by a jury (28 U.S.C. § 1441(d) (upon removal by a foreign state as defined in section 1603, "the action shall be tried by the court without jury")), and to avoid embroiling the Chinese and Qingdao Municipal governments in a dispute between commercial entities. This voluntary dismissal of Hisense Co. only in no way reflects on the merits of this action, and in particular, against any of the remaining defendants, none of which has filed a separate notice of removal.

DATED: June 30, 2017

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By: /s/ Ira Bibbero
Ira Bibbero
Attorneys for Plaintiff Sharp Corporation