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VIDUL PRAKASH

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

VIDUL PRAKASH,

Defendant.

Case No.: 5:23-cv-03300-BLF

RELATED CASE:

Case No. 5:21-cv-06374-BLF

**JOINT STIPULATION FOR
VOLUNTARY DISMISSAL AND
RELEASES**

1 Pursuant to Federal Rule of Civil Procedure 41, Plaintiff Securities and Exchange
2 Commission (“SEC”) and Defendant Vidul Prakash (“Prakash”) respectfully submit this Joint
3 Stipulation for Voluntary Dismissal and Releases stipulating to the dismissal with prejudice of all
4 claims against Prakash.

5 **WHEREAS**, the SEC filed its Complaint in this civil enforcement action (the
6 “Litigation”) on July 3, 2023 (ECF 1);

7 **WHEREAS**, the SEC, in its discretion and based on the facts and circumstances of this
8 case and its ongoing review of the evidence, including evidence developed in discovery, has
9 agreed to voluntarily dismiss, with prejudice, all claims against Prakash;

10 **WHEREAS**, the SEC’s decision to seek dismissal of the claims against Prakash does not
11 reflect the SEC’s position on any other case;

12 **WHEREAS**, the SEC and Prakash wish to resolve all outstanding issues by entering into
13 this Joint Stipulation for Voluntary Dismissal and Releases;

14 **THEREFORE**, in consideration of the above, it is hereby agreed by and between the
15 SEC and Prakash as follows:

- 16 1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the SEC and Prakash
17 stipulate that the Litigation be dismissed with prejudice as to the conduct alleged in
18 the Complaint, and without costs or fees to any party.
- 19 2. Prakash, for himself and any of his agents, attorneys, employees, or representatives,
20 hereby waives and releases:
 - 21 a. Any and all rights under the Equal Access to Justice Act, the Small Business
22 Regulatory Enforcement Fairness Act of 1996, or any other provision of law to
23 seek from the United States, or any agency, or any official of the United States
24 acting in his or her official capacity, directly or indirectly, reimbursement of
25 attorney’s fees or other fees, expenses, or costs expended by Prakash that in any
26 way relate to the Litigation, including but not limited to investigative steps taken
27 prior to commencing the Litigation.

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ATTESTATION OF CONCURRENCE IN FILING

Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from each of the signatories listed above.

/s/ Jason Bussey
Jason Bussey