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9 ATTORNEYS FOR PLAINTIFF BANKS.COM, INC.

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 11 **UNITED STATES DISTRICT COURT**  
 12 **NORTHERN DISTRICT OF CALIFORNIA**  
 13 **SAN FRANCISCO DIVISION**  
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16 BANKS.COM, INC.,

17 PLAINTIFF,

18 v.

19 ROBERT HOULT, AN INDIVIDUAL, DALE  
 GIESSMAN, AN INDIVIDUAL,  
 20 MOXIESEARCH.COM, AN ENTITY FORM  
 UNKNOWN, PROSTREAMMEDIA.COM,  
 21 INC., AN ENTITY FORM UNKNOWN, AND  
 DOES 1 THROUGH 50, INCLUSIVE,

22 DEFENDANTS.  
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) CASE No.: 3:09-CV-06039-WHA  
 )

) ~~PROPOSED~~ ORDER RE DISMISSAL  
 ) WITH PREJUDICE OF ROBERT HOULT  
 ) AND MOXIESEARCH.COM

) [FED R. CIV. P. 41(a)(1)(A)(ii)]

) CASE FILED: NOVEMBER 5, 2009

) CASE REMOVED: DECEMBER 28, 2009

) JUDGE: HON. WILLIAM H. ALSUP  
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**ORDER**

Pursuant to the foregoing stipulation of the parties, and good cause appearing,

**IT IS HEREBY ORDERED THAT** this action and the claims of Plaintiff Banks.com, Inc., against Defendants Robert Hoult and Moxiesearch.com are dismissed with prejudice, with each party to the foregoing stipulation waiving any and all claims that were or could have been brought in this action against each other relating to the facts alleged in the complaint and each party to bear its own costs and attorneys' fees.

**IT IS SO ORDERED**

Date: August 27, 2010.

  
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HON. WILLIAM H. ALSUP  
JUDGE OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA