

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

PRAGMATIUS AV, LLC,

Plaintiff,

v.

FACEBOOK, INC., YOUTUBE, LLC,
LINKEDIN CORPORATION, and
PHOTOBUCKET.COM, INC.,

Defendants.

Civil Action No. 1:10-cv-1288 (LMB/JFA)

**[PROPOSED] ORDER GRANTING DEFENDANT FACEBOOK, INC.'S RULE 12(b)(6)
MOTION TO DISMISS, OR IN THE ALTERNATIVE, FOR A
MORE DEFINITE STATEMENT**

The above matter having come before the Court on Facebook, Inc.'s ("Facebook") Rule 12 (b)(6) Motion to Dismiss Plaintiff's Complaint, or in the Alternative, for a More Definite Statement, and the Court having considered the motion and arguments in support thereof and any opposition thereto, it is

ORDERED and ADJUDGED as follows:

1. The Plaintiff's allegations of direct infringement against Facebook (Complaint ¶¶ 16, 20, 24) are hereby DISMISSED for failure to state a claim upon which relief can be granted.
2. The Plaintiff's allegations of induced infringement against Facebook (Complaint ¶¶ 17, 21, 25) are hereby DISMISSED for failure to state a claim upon which relief can be granted.

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3. The Plaintiff's allegations of contributory infringement against Facebook (Complaint ¶¶ 17, 21, 25) are hereby DISMISSED for failure to state a claim upon which relief can be granted.

So ORDERED this ____ day of _____, 2010.

The Honorable Leonie M. Brinkema
United States District Court Judge

CERTIFICATE OF SERVICE

I certify that on December 22, 2010, I will electronically file the foregoing [PROPOSED] ORDER GRANTING DEFENDANT FACEBOOK, INC.'S MOTION TO DISMISS, OR IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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