

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

PRAGMATUS 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 YOUTUBE, LLC'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 Defendant YouTube, LLC's ("YouTube") 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 YouTube (Complaint ¶¶ 28, 32, 36) are hereby DISMISSED for failure to state a claim upon which relief can be granted.

2. The Plaintiff's allegations of induced infringement against YouTube (Complaint ¶¶ 29, 33, 37) are hereby DISMISSED for failure to state a claim upon which relief can be granted.

3. The Plaintiff's allegations of contributory infringement against YouTube (Complaint ¶¶ 29, 33, 37) are hereby DISMISSED for failure to state a claim upon which relief can be granted.

So ORDERED this ____ day of _____, 2011.

The Honorable Leonie M. Brinkeman
United States District Court Judge