Case 4:06-cv-07754-SBA Document 79 Filed 03/21/2007 Page 1 of 2 1 Deborah Bailey-Wells (114630, deborah.bailey-wells@klgates.com) (161787, kevin.trock@klgates.com) Kevin C. Trock 2 Harold H. Davis, Jr. (235552, harold.davis@klgates.com) KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP 55 Second St., Suite 1700 San Francisco, CA 94105 4 Telephone (415) 882-8200 5 (415) 882-8220 Fax: 6 Attorneys for Plaintiff HELIO LLC 7 UNITED STATES DISTRICT COURT FOR THE 8 NORTHERN DISTRICT OF CALIFORNIA 9 OAKLAND DIVISION 10 11 HELIO, LLC, Case No. C 06-7754 SBA 12 13 [PROPOSED] ORDER DISMISSING Plaintiff, **ACTION WITHOUT PREJUDICE** 14 VS. 15 16 PALM INC. 17 Defendant. 18 19 20 21 22 23 24 25 26 27 28 [PROPOSED] ORDER DISMISSING ACTION WITHOUT PREJUDICE Case No. C 06-7754 SBA

Helio LLC v. Palm, Inc.

Doc. 79

## Case 4:06-cv-07754-SBA Document 79 Filed 03/21/2007 Page 2 of 2

1	Having considered Plaintiff Helio LLC's Motion to Dismiss the Court finds that good
2	cause exists to dismiss this action without prejudice on the grounds that (1) Defendant Palm
3	Inc. has begun to wind down the advertising campaign that is the subject of this lawsuit; (2)
4	continuation of this litigation in light of Palm's decision would unnecessarily tax the
5	resources of the parties and this court; and (3) Palm will not be prejudiced as a result of this
6	dismissal. Fed. R. Civ. P., Rule 41(a)(2).
7	It is <b>HEREBY ORDERED</b> that this action is dismissed without prejudice.
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10	Dated: Hon Judge Saundra B. Armstrong
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