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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

SHOPZILLA, INC.,

Plaintiff,

vs.

KELORA SYSTEMS, LLC,  
Defendant.

Case No. 4:11-CV-0502-CW

**JOINT MOTION OF SHOPZILLA, INC.  
AND KELORA SYSTEMS, LLC FOR  
DISMISSAL WITH PREJUDICE**

Shopzilla, Inc. (“Shopzilla”) initiated this declaratory judgment action by way of a Complaint dated February 2, 2011. On February 15, 2011, this Court ordered this case related to previously filed cases *PartsRiver, Inc., v. Shopzilla, Inc.; Yahoo! Inc.; eBay Inc.; and Microsoft Corporation*, No. 4:09-cv-00811-CW (filed Feb. 25, 2009); *eBay Inc. and Microsoft Corp. v. PartsRiver, Inc. and Kelora Systems, LLC*, No. 4:10-cv-4947-CW (filed Nov. 2, 2010); *eBay Inc. v. PartsRiver, Inc. and Kelora Systems, LLC*, No. 4:10-cv-5106-CW (filed Nov. 10, 2010); and *Microsoft Corp. v. PartsRiver, Inc. and Kelora Systems, LLC*, No. 4:10-cv-5108-CW (filed Nov. 10, 2010). On March 31, 2011 Shopzilla jointly filed a motion for summary judgment with eBay and Microsoft in this case and in related case Nos. 4:10-cv-4947-CW, 4:10-cv-5106-CW and 4:10-cv-5108-CW.

Shopzilla hereby withdraws all pending motions it has made in this and all related cases before this Court, including without limitation Shopzilla’s aforementioned Motion for Summary Judgment of Invalidity and/or No Liability Before Nov. 2, 2010 (Docket No. 25 in this case).

Pursuant to Federal Rule of Civil Procedure 41(a)(2) and (c), Shopzilla and Kelora Systems, LLC hereby jointly move the Court to dismiss with prejudice all claims and counterclaims between them in this case, with each party to bear its own attorneys’ fees and costs.

1 Dated: April 29, 2011

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By: /s/ Robert D. Becker

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Kelora Systems, LLC

1 Dated: April 29, 2011

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**SIGNATURE ATTESTATION**

Pursuant to General Order No. 45(X)(B), I hereby certify that concurrence in the filing of this document has been obtained from each of the other signatories shown above.

/s/Robert D. Becker

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**ORDER DISMISSING CASE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and as stipulated to by the parties through their counsel, *Shopzilla, Inc. v. Kelora Systems, LLC*, No. 4:11-cv-00502-CW (filed Feb. 2, 2011) is hereby DISMISSED WITH PREJUDICE.

SO ORDERED.

Dated: 5/5/2011



CLAUDIA WILKEN  
United States District Judge

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on April 29, 2011, all counsel of record who are deemed to have consented to electronic service are being served, via the Court's CM/ECF system pursuant to L.R. 5-4 and General Order 45, with a copy of the foregoing JOINT STIPULATION RE DISMISSAL OF ENTIRE CASE WITH PREJUDICE.

By: /s/ Robert D. Becker  
Robert D. Becker

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