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

EMBLAZE LTD.,

Plaintiff,

v.

APPLE INC., a California Corporation,

Defendants.

CASE NO. 4:11-CV-01079 SBA

**[PROPOSED] ORDER GRANTING
APPLE’S MOTION UNDER FED. R. CIV.
P. 12(B)(6) TO DISMISS EMBLAZE’S
AMENDED COMPLAINT UPON WHICH
RELIEF CAN BE GRANTED**

After reviewing Defendant Apple Inc.’s Motion Under Fed. R. Civ. P. 12(b)(6) to Dismiss Plaintiff Emblaze’s Amended Complaint For Failure to State a Claim Upon Which Relief Can Be Granted (“Defendant’s Motion to Dismiss”), Plaintiff’s Response and the pleadings and files of record, and after being fully advised, NOW THEREFORE,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant’s Motion to Dismiss is GRANTED, and that Plaintiff’s Amended Complaint against Defendant Apple Inc. is dismissed [with] [without] prejudice.

Dated: _____

Honorable Sandra Brown Armstrong
Judge of the United States Court
Northern District of California