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 17 NETSCAPE COMMUNICATIONS CORP  
 18 and AMERICA ONLINE, INC.

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

21 NETSCAPE COMMUNICATIONS  
 22 CORPORATION, et al

23 Plaintiffs,

24 v.

25 FEDERAL INSURANCE COMPANY, et al.

26 Defendants.

CASE NO. C-06-00198 JW (PVT)

**[PROPOSED] ORDER GRANTING  
 PLAINTIFFS' MOTION TO DISMISS  
 DEFENDANT ST. PAUL'S COUNTER-  
 CLAIMS FOR REFORMATION OR, IN  
 THE ALTERNATIVE, MOTION FOR  
 SUMMARY JUDGMENT**

Date: September 11, 2006  
 Time: 9:00 a.m.  
 Judge: Hon. James Ware  
 Dept.: Courtroom 8

Complaint filed December 12, 2005

1 This matter is before the Court on Plaintiffs Netscape Communication Corporation's and  
2 America Online Inc.'s Motion to Dismiss Defendant St Paul's Counter-Claims for Reformation  
3 (Second, Third and Fourth Causes of Action) or, in the alternative, Motion for Summary  
4 Judgment.

5 [Upon consideration of the pleadings, and the argument of counsel, for good cause  
6 shown, Plaintiffs' Motion to Dismiss St. Paul's Counter-Claims for Reformation (Second, Third  
7 and Fourth Causes of Action) is hereby GRANTED ]

8 OR

9 [Upon consideration of the pleadings, and the argument of counsel, for good cause  
10 shown, Plaintiffs' Motion for Summary Judgment on St. Paul's Counter-Claims for Reformation  
11 (Second, Third and Fourth Causes of Action) is hereby GRANTED.]

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13 Dated: \_\_\_\_\_, 2006

\_\_\_\_\_  
Hon. James Ware  
United States District Judge

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15 Submitted by:

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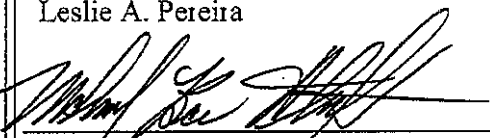
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