

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

PRAGMATIUS AV, LLC,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

Civil Action No. 2:10-cv-00560-HCM/FBS

**[PROPOSED] ORDER GRANTING DEFENDANT FACEBOOK, INC.’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 Facebook, Inc.’s (“Facebook”) 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 Facebook (Complaint ¶¶ 8, 12) are hereby DISMISSED for failure to state a claim upon which relief can be granted.

2. The Plaintiff’s allegations of induced infringement against Facebook (Complaint ¶¶ 9, 13) are hereby DISMISSED for failure to state a claim upon which relief can be granted.

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3. The Plaintiff's allegations of contributory infringement against Facebook (Complaint ¶¶ 9, 13) are hereby DISMISSED for failure to state a claim upon which relief can be granted.

So ORDERED this ____ day of _____, 2011.

The Honorable Henry C. Morgan, Jr.
United States District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of January, 2011, I will electronically file the foregoing [PROPOSED] ORDER GRANTING DEFENDANT FACEBOOK, INC.'S RULE 12(b)(6) MOTION TO DISMISS, OR IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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