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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

NEW MOTION, INC. (d/b/a ATRINSIC MEDIA), a Delaware corporation,

Plaintiff,

vs.

SMS.AC, INC. (d/b/a FanBox), a California Corporation, BRANDIE SMITH, an individual, MICHAEL POUСТИ, an individual, and DOES 1 through 50, inclusive,


Defendant.

CASE NO. 09cv99 WQH (BLM)
ORDER

HAYES, Judge:

The Stipulation for Dismissal with Prejudice and Request for the Court to Retain Jurisdiction for Purposes for Settlement (Doc. # 23) is **GRANTED**. The above-captioned action is **DISMISSED with prejudice** subject to the terms of the Stipulation for Dismissal with Prejudice.

DATED: July 24, 2009


WILLIAM Q. HAYES
United States District Judge