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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



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Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

INTERNET ARCHIVE
Plaintiff

v.

SUZANNE SHELL
Defendant

CASE NO. C 06 0397 JSW

[PROPOSED]
ORDER GRANTING MOTION TO
DISMISS COMPLAINT FOR
DECLARATORY JUDGEMENT
FOR COPYRIGHT
NON-INFRINGEMENT

AND RELATED COUNTERCLAIMS

Upon consideration of Defendant's motion and considering all materials presented by the parties, and good cause appearing:

The defendant's **MOTION TO DISMISS PLAINTIFF'S COMPLAINT FOR DECLARATORY JUDGEMENT OF COPYRIGHT NON-INFRINGEMENT PURSUANT TO FED.R.CIV.P. 12(B)(3)** is GRANTED.


IT IS HEREBY ORDERED that Plaintiff's Complaint for Declaratory Judgement of Copyright Non-infringement is dismissed for lack of jurisdiction.

IT IS FURTHER ORDERED that this case be transferred to the appropriate venue

1 and jurisdiction of the U.S. DISTRICT COURT DISTRICT OF COLORADO.

2 The plaintiff's **MOTION TO DISMISS COUNTERCLAIMS** is **DISMISSED**
3 without prejudice and the hearing on that motion set for May 5, 2006 is vacated.

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7 Dated: _____
8 The Honorable Jeffrey S. White
9 United States District Judge

10 Submitted by:
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12 _____
13 Suzanne Shell - Defendant, pro se
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