

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00630-DME-MEH

NETQUOTE, INC., a Colorado corporation,

Plaintiff,

v.

BRANDON BYRD, an internet user making use of the IP Addresses 64.136.27.226 and 64.136.26.227, and

MOSTCHOICE.COM, INC., a Georgia corporation,

Defendants.

**ORDER DISMISSING DEFENDANT'S MOTION TO DISMISS FOR LACK OF
PERSONAL JURISDICTION AND FOR FAILURE TO STATE A CLAIM FOR FRAUD
UPON WHICH RELIEF CAN BE GRANTED**

Plaintiff has been granted leave to file, and has now filed, a Third Amended Complaint. In light of that, it is

ORDERED that Defendant Byrd's "Motion to Dismiss for Lack of Personal Jurisdiction and for Failure to State a Claim for Fraud Upon Which Relief Can be Granted" is dismissed as moot. This dismissal is without prejudice to Defendant Byrd to file a renewed motion directed at the Third Amended Complaint if the Defendant wishes to do so.

DATED at Denver, Colorado, this 17th day of April, 2007.

BY THE COURT:

s/ David M. Ebel

David M. Ebel
United States Circuit Judge