

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

Defendant MostChoice.com, Inc. has been granted leave to file, and has now filed, a Second Amended Counterclaim. In light of that, it is

ORDERED that Plaintiff's "Motion to Dismiss MostChoice's Amended Fraud Counterclaim" is dismissed as moot. This dismissal is without prejudice to Plaintiff to file a renewed motion directed at the Second Amended Counterclaim if Plaintiff wishes to do so.

DATED at Denver, Colorado, this 5th day of October, 2007.

BY THE COURT:

s/ David M. Ebel

David M. Ebel
United States Circuit Judge