UNITED STATES DISTRICT COURT EASTERN DISTRICT OF KENTUCKY CENTRAL DIVISION AT LEXINGTON

Electronically Filed

iLOR, LLC,

Plaintiff,

V.

Civil Action No. 5:07-cv-00109-JMH

GOOGLE INC.,

Defendant.

PROPOSED ORDER

On Motion of the Defendant, Google, Inc., and the Court having renewed the motion and any response thereto filed by the Plaintiff, iLOR, LLC, and the entire record of this case, and being sufficiently advised, and in order to put this case in proper condition for appeal,

IT IS ORDERED that

- All claims and counterclaims except Plaintiff's claim for infringement of U.S. Patent No. 7,206,839 be and hereby are dismissed without prejudice; and
- 2. The Court's Judgment entered on November 30, 2007 [D.E. 71] be and hereby it is declared to be a final and appealable order with no just reason for delay in its entry as such.

So *ORDERED* this _____ day of _____, 2008.

Joseph M. Hood Judge, U.S. District Court Tendered by:

s/James R. Higgins, Jr.

Frank E. Scherkenbach Kurt L. Glitzenstein Peter J. Kirk Matthew J. Leary **FISH & RICHARDSON, P.C.** 225 Franklin Street Boston, MA 02110-2804 Phone: (617) 542-2804 Facsimile: (617) 542-8906

James R. Higgins, Jr. (KBA No. 31790) Brian P. McGraw (KBA No. 90447) Charles G. Middleton, III (KBA No. 47641) **MIDDLETON REUTLINGER, P.S.C.** 2500 Brown & Williamson Tower Louisville, KY 40202-3410 Phone: (502) 584-1135 Facsimile: (502) 561-0442

ATTORNEYS FOR GOOGLE, INC.