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Specifically, Righthaven requests voluntary dismissal with prejudice pursuant to Rule 1 2 41(a)(2) of the Federal Rules of Civil Procedure. Rule 41(a)(2) permits voluntary dismissal with prejudice "by court order, on terms that the court considers proper<sup>1</sup>." 3 On or about July 15, 2010, the Parties entered into a settlement agreement (the 4 "Agreement"), whereby PreGame, Mr. Busack and Mr. Bell shall be released from all claims of 5 copyright infringement in the above-entitled matter, upon full compliance with the terms of the 6 Agreement. 7 WHEREFORE, the Parties request this Court enter an Order dismissing the above-8 captioned action filed against PreGame, Mr. Busack, and Mr. Bell with prejudice. 9 Dated this 20th day of August, 2010. 10 11 IT IS SO ORDERED. 12 13 14 CHIEF/U.S. DISTRICT JUDGE 15 16 Dated this 23rd day of August, 2010. 17 18 Submitted by: 19 RIGHTHAVEN LLC LEWIS AND ROCA LLP 20 21 22 /s/ J. Charles Coons /s/ West Allen J. Charles Coons, Esq. W. West Allen, Esq. 23 9660 West Cheyenne Avenue, Suite 210 Nikkya G. Williams, Esq. Las Vegas, Nevada 89129-7701 3993 Howard Hughes Parkway, Suite 660 24 Las Vegas, Nevada 89169 Attorneys for Plaintiff 25 Attorneys for Defendants 26 27 28 <sup>1</sup> Fed. R. Civ. P. 41(a)(2).