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ORDER

Defendants Democratic Underground, LLC and David Allen’s Motion for Summary Judgment is GRANTED. The Court finds that the undisputed facts demonstrate no volitional act by Defendants, as required to sustain a claim for direct copyright infringement. The Court also finds that the undisputed facts demonstrate that the use in question was fair use as a matter of law. Judgment in favor of Defendants Democratic Underground, LLC and David Allen and against all claims and causes of action of Plaintiff Righthaven LLC in this action shall be, and hereby is, entered accordingly.

IT IS SO ORDERED:

DISTRICT COURT JUDGE

DATED: _____