

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

AARON CLARK,

Plaintiff,

v.

**THE WALT DISNEY COMPANY; JAKKS
PACIFIC, INC.; PLAY ALONG TOYS;
KB TOYS; TOYS ‘R US;
BABYUNIVERSE, INC.; ETOYS DIRECT,
INC.; and DISNEY SHOPPING, INC.,**

Defendants.

Case No. 2:08-CV-982

District Judge John D. Holschuh

Magistrate Judge Mark R. Abel

**[PROPOSED] ORDER GRANTING DEFENDANTS’ MOTION TO DISMISS
FOR FAILURE TO JOIN A NECESSARY AND INDISPENSABLE PARTY**

Defendants JAKKS Pacific, Inc., Play Along Toys, and Toys “R” Us, Inc. have moved for an Order dismissing Plaintiff’s first claim for relief for patent infringement for failure to add a necessary and indispensable party pursuant to Rule 12(b)(7) of the Federal Rules of Civil Procedure. Having considered Defendants’ motion, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT:

Plaintiff’s claim for patent infringement is DISMISSED.

IT IS SO ORDERED.

Dated: _____

UNITED STATES DISTRICT JUDGE