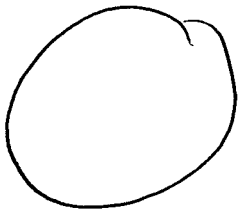


MAM



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GORDON ROY PARKER : CIVIL ACTION
 :
 v. :
 :
 YAHOO!, INC., et al. : NO. 07-2757

FILED

NOV 25 2008

MICHAEL L. KUNZ, Clerk
By JL Dep. Clerk

ORDER

AND NOW, this 25th day of November, 2008, upon consideration of plaintiff's motion to dismiss defendant Microsoft's counterclaims (Docket No. 26) and the defendant's opposition thereto, IT IS HEREBY ORDERED that said motion is DENIED without prejudice. There will be plenty of time after discovery for the plaintiff to move for summary judgment on these claims if he so chooses. The Court will not dismiss these claims at this early stage.

BY THE COURT:

Mary A. McLaughlin
MARY A. McLAUGHLIN, J.

*11/25/08 mail
Lane Parker*

*11/25/08 mail
Parker*
ENTILED
NOV 25 2008
CLERK OF COURT