

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MINERVA INDUSTRIES, INC.,

Plaintiff,

v.

MOTOROLA, INC., et al

Defendants.

Civil Action No: 2-07CV-229

JURY

AGREED MOTION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Now comes Plaintiff Minerva Industries, Inc. and pursuant to Federal Rule of Civil Procedure 41(a) hereby moves for an Order voluntarily dismissing this action with regard to its claims against Qwest Wireless, LLC, WITHOUT PREJUDICE, with each party to bear its own costs, expenses and attorneys fees.

Respectfully submitted,

By: /s/ Collin Maloney

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record are being served with a copy of this document via electronic delivery or United States mail this 18th day of December, 2007.

/s/ Collin Maloney_____