IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

PETER H. WOLF	§	
	§	
Plaintiff,	§	
vs.	§	
	§	
BRIGHTROOM, INC.; ISLAND	§	Civil Action No. 2:07-cv-238
PHOTOGRAPHY, INC.; ELIZABETH	§	
M. KREUTZ; BIRD'S EYE VIEW, INC.;	§	Jury Trial Demanded
DIGILABS, INC.; PRINTROOM, INC.;	§	
SMUGMUG, INC.; AND HOUR	§	
PHOTOS, INC., D/B/A	§	
MASTER PHOTOS U.S.A.	§	
	§	
Defendants.	§	

STIPULATION OF DISMISSAL AS TO DEFENDANT DIGILABS, INC.

Plaintiff Peter H. Wolf files this stipulation of dismissal as to Defendant DigiLabs, Inc. ("DigiLabs") under Rule 41(a) of the Federal Rules of Civil Procedure.

- 1. On June 8, 2007, Plaintiff filed the above-captioned patent infringement action against DigiLabs and seven other defendants.
- 2. DigiLabs has not been served with process and has not filed an answer or a motion for summary judgment.
 - 3. This case is not a class action.
 - 4. A receiver has not been appointed in this action.
- 5. This case is not governed by any federal statute that requires an order of the court for dismissal of the case.
- 6. Plaintiff has not dismissed an action against DigiLabs based on or including the same claims as those presented in this suit.

- 7. This dismissal as to DigiLabs is with prejudice.
- 8. This dismissal applies to DigiLabs only and not to any other defendant.

Respectfully submitted,

Date: August 27, 2007

/s/ Edward W. Goldstein Edward W. Goldstein Texas Bar No. 08099500 Matthew J. M. Prebeg Texas Bar No. 00791465

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on September 6, 2007. Any other counsel of record will be served by first class U.S. mail.

/s/ Edward W. Goldstein
Edward W. Goldstein