

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

**SOFTWARE RIGHTS ARCHIVE, LLC**

**v.**

**GOOGLE INC., YAHOO! INC., IAC  
SEARCH & MEDIA, INC., AOL, LLC,  
AND LYCOS, INC.**

**Civil Case No. 2:07-cv-511 (CE)**

**STIPULATED MOTION FOR DISMISSAL**

Plaintiff Software Rights Archive, LLC (“SRA”) and defendant IAC Search & Media, Inc. (“IACSAM”), pursuant to Federal Rules of Civil Procedure 41(a)(2) and (c), hereby move for an order dismissing all claims by SRA against IACSAM in this action WITH PREJUDICE, and dismissing all counterclaims by IACSAM against SRA in this action WITHOUT PREJUDICE, with each party to bear its own costs, expenses, and attorneys’ fees.

Dated: July 23, 2010

Respectfully submitted,

By: /s/ Lee L. Kaplan (by permission)

Lee L. Kaplan

LEAD ATTORNEY

State Bar No. 11094400

**SMYSER KAPLAN & VESELKA, L.L.P.**

700 Louisiana, Suite 2300

Houston, Texas 77002

(713) 221-2323

(713) 221-2320 (fax)

lkaplan@skv.com

Victor G. Hardy

State Bar No. 00790821

(Admitted *Pro Hac Vice*)

Andrew G. DiNovo

State Bar No. 00790594

Adam G. Price

State Bar No. 24027750  
Jay D. Ellwanger  
State Bar No. 24036522  
**DiNOVO PRICE ELLWANGER LLP**  
P.O. Box 201690  
Austin, Texas 78720  
(512) 681-4060  
(512) 628-3410 (fax)  
vhardy@dpelaw.com

*Of counsel:*

S. Calvin Capshaw  
State Bar No. 03783900  
Elizabeth L. DeRieux  
State Bar No. 05770585  
**CAPSHAW DERIEUX**  
1127 Judson Road, Suite 220  
P.O. Box 3999  
Longview, TX 75606-3999  
(903) 236-9800  
(903) 236-8787 (fax)  
ccapshaw@capshawlaw.com

Robert M. Parker  
State Bar No. 15498000  
Robert C. Bunt  
State Bar No. 00787165  
Charles Ainsworth  
State Bar No. 0078352  
**PARKER, BUNT & AINSWORTH, P.C.**  
100 East Ferguson, Suite 1114  
Tyler, Texas 75702  
(903) 531-3535  
(903) 533-9687 (fax)

Attorneys for Plaintiff SOFTWARE  
RIGHTS ARCHIVE, LLC

By: /s/ Jennifer A. Kash (by permission)

Claude M. Stern (CA Bar No. 96737)

Jennifer A. Kash (CA Bar No. 203679)

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

555 Twin Dolphin Drive, 5th Floor

Redwood Shores, CA 94065

Telephone: (650) 801-5000

Facsimile: (650) 801-5100

Email: [claudestern@quinnemanuel.com](mailto:claudestern@quinnemanuel.com)

Email: [jenniferkash@quinnemanuel.com](mailto:jenniferkash@quinnemanuel.com)

Otis Carroll

Tex. Bar No. 03895700

Collin Maloney

Tex. Bar No. 00794219

IRELAND, CARROLL & KELLEY, P.C.

6101 S. Broadway, Suite 500

Tyler, Texas 75703

Tel: (903) 561-1600

Fax: (903) 581-1071

Email: [Fedserv@icklaw.com](mailto:Fedserv@icklaw.com)

Attorneys for Defendants IAC SEARCH &  
MEDIA, INC. and LYCOS, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 23rd day of July, 2010, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Mark Baker  
Mark Baker