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

ACTUS, LLC,

Plaintiff,

CIVIL ACTION NO. 2:09-cv-102-TJW

 \mathbf{v}_{ullet}

BANK OF AMERICA CORP., et al.

Defendants.

JURY TRIAL DEMANDED

ORDER

In consideration of Plaintiff Actus, LLC's Notice of Dismissal, the Court ORDERS that all claims asserted against Defendant AgileCo be dismissed without prejudice.

SO ORDERED.

SIGNED this 6th day of August, 2009.

T. JOHN WARD

UNITED STATES DISTRICT JUDGE

John Ward