

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

**ACTUS, LLC,**

**Plaintiff,**

**v.**

**BANK OF AMERICA CORP. et al.**

**Defendants.**

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

**JURY TRIAL DEMANDED**

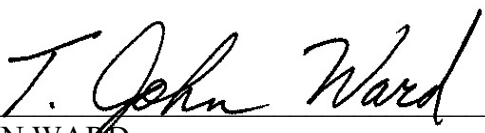
**ORDER OF DISMISSAL WITH PREJUDICE**

CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal with Prejudice of all claims and counterclaims asserted between Plaintiff, Actus LLC, and Defendant, M&T Bank Corporation, in this case, and the Court being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims and counterclaims asserted in this suit between Plaintiff, Actus, LLC, and Defendant, M&T Bank Corporation, are hereby dismissed with prejudice, subject to the terms of that certain agreement entitled License and Settlement Agreement, dated April 20, 2010.

It is further ORDERED that all attorneys' fees and costs are to be borne by the party that incurred them.

SIGNED this 30th day of April, 2010.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE