

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

API TECHNOLOGIES, LLC,

Plaintiff,

v.

FACEBOOK, INC., ET AL.,

Defendants.

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CIVIL ACTION NO. 2:09-CV-00147

JURY TRIAL DEMANDED

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The plaintiff, API Technologies, LLC, and defendants, Amazon.com, Inc. and Amazon Web Services LLC, pursuant to FED. R. CIV. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims in this action WITH PREJUDICE, subject to the terms of that certain agreement entitled "PATENTS IN SUIT SETTLEMENT AGREEMENT" and dated July 13, 2009, with each party to bear its own costs, expenses and attorneys fees.

AGREED:

July 31, 2009

**AMAZON.COM, INC. AND
AMAZON WEB SERVICES LLC**

Respectfully submitted,

API TECHNOLOGIES, LLC

By: /s/ Jennifer P. Ainsworth (with permission)

By: /s/ Tyler K. Brochstein

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**ATTORNEYS FOR PLAINTIFF
API TECHNOLOGIES, LLC**

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who 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 this the 31st day of July 2009.

/s/ Tyler K. Brochstein
Tyler K. Brochstein