

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

BENEFICIAL INNOVATIONS, INC.,

Plaintiff,

v.

COMCAST CORPORATION, a Delaware corporation; THE DALLAS MORNING NEWS, INC., a Delaware corporation; DIGG, INC., a Delaware corporation; DISNEY ONLINE, a California corporation; THE WALT DISNEY COMPANY; a Delaware corporation; EBAUM'S WORLD, INC., a New York corporation; FACEBOOK, INC., a Delaware corporation; GOOGLE INC., a Delaware corporation; IAC SEARCH & MEDIA, INC., a Delaware corporation; MORRIS COMMUNICATIONS COMPANY, LLC, a Georgia limited liability company; NBC UNIVERSAL, INC., a Delaware corporation; THE NEW YORK TIMES COMPANY, a New York corporation; and YOUTUBE, LLC, a Delaware limited liability company,

Defendants.

CASE NO. 2:09-CV-175-TJW

TRIAL BY JURY DEMANDED

ORDER

On this day came to be considered by the Court Plaintiff's Motion to Dismiss Ebaum's World, Inc. without prejudice. It appears to the Court that the Motion to Dismiss Ebaum's World, Inc. without prejudice is well-taken and should be granted, and that Plaintiff's claims against Defendant Ebaum's World, Inc. should be dismissed without prejudice.

IT IS THEREFORE ORDERED that the claims asserted by Plaintiff against Defendant Ebaum's World, Inc., should be dismissed without prejudice, with all attorneys' fees and costs of court being borne by the party that incurred them.

SIGNED this 12th day of April, 2010.

A handwritten signature in black ink that reads "T. John Ward". The signature is written in a cursive style with a horizontal line underneath it.

T. JOHN WARD
UNITED STATES DISTRICT JUDGE