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

BENEFICIAL INNOVATIONS, INC.,	
Plaintiff, vs.	CASE NO. 2:09-cv-175 (TJW) Jury Trial Demanded
COMCAST CORPORATION ET AL.,	
Defendants.	

JOINT MOTION TO DISMISS

NOW COMES the Plaintiff Beneficial Innovations, Inc. and Defendant Digg Inc. and respectfully move the Court to dismiss the claims between them, and in support thereof would respectfully show the Court as follows:

All matters in controversy between Beneficial Innovations, Inc. and Digg Inc. in this suit have been settled and compromised, and these parties therefore jointly move to dismiss all claims asserted between them, with prejudice to the right to pursue any such claims in the future except as provided in the parties' settlement agreement. These parties further move that all costs of court be assessed against the party who incurred them.

WHEREFORE, PREMISES CONSIDERED, these parties jointly pray that their claims against each other be dismissed with prejudice, with all costs of court being assessed against the party who incurred them.

// // // Dated: November ___, 2009 Respectfully submitted,

By: /s/ Julien A. Adams

S. Calvin Capshaw State Bar No. 03783900 Elizabeth L. DeRieux State Bar No. 05770585 Brown McCarroll, L.L.P. 1127 Judson Road, Suite 220 Longview, TX 75601

Telephone: (903) 236-9800 Facsimile: (903) 236-8787 Email: capshaw@mailbmc.com Email: ederieux@mailbmc.com

Robert Christopher Bunt State Bar No. 00787165 Email: cbunt@cox-internet.com

Robert M Parker

State Bar No. 15498000

Email: rmparker@cox-internet.com

Parker & Bunt, P.C.

100 East Ferguson, Ste. 1114

Tyler, TX 75702

Telephone: 903/531-3535 Facsimile: 903/533-9687

Of Counsel:

Gregory S. Dovel
CA State Bar No. 135387
Julien Adams
CA State Bar No. 156135
Dovel & Luner, LLP
201 Santa Monica Blvd., Suite 600
Santa Monica, CA 90401
Telephone: 310,656,7066

Telephone: 310-656-7066 Facsimile: 310-657-7069

ATTORNEYS FOR PLAINTIFF, BENEFICIAL INNOVATIONS, INC.

By:

/s/ Byron Cooper Byron Cooper Goodwin Procter LLP 135 Commonwealth Dr. Menlo Park, CA 94025 Telephone: 650-752-3100

Facsimile: 650-853-1038

ATTORNEYS FOR DEFENDANT DIGG INC.