

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

SIMPLEAIR, INC.,

Plaintiff,

v.

AWS CONVERGENCE TECHNOLOGIES,
INC., ET AL.,

Defendants.

Civil Action No. 2:09-cv-289 (CE)

JURY DEMANDED

ORDER OF DISMISSAL

The Court, having read and considered the Joint Motion to Dismiss of Plaintiff SimpleAir, Inc. (“SimpleAir”) and Defendant AWS Convergence Technologies, Inc. (“AWS Convergence”), and good cause appearing, hereby GRANTS the motion and it is hereby:

ORDERED, ADJUDGED AND DECREED that all claims asserted in this suit by Plaintiff SimpleAir against Defendant AWS Convergence, and all counterclaims asserted by Defendant AWS Convergence, are hereby dismissed as follows:

(a) with prejudice as to SimpleAir’s right to assert any such claims in the future as to the products licensed under the parties’ settlement and license agreement;

(b) with prejudice as to AWS Convergence’s right to assert any such counterclaims in the future, except as provided by the parties’ settlement and license agreement; and

(c) without prejudice as to all other claims or counterclaims, as provided by the parties’ settlement agreement.

It is further ORDERED that all costs are assessed against the party who incurred them.