

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

ESN, LLC,)	
)	
Plaintiff,)	Civil Action No. 5:07-cv-156-DF-CMC
)	
v.)	
)	
CISCO SYSTEMS, INC., and)	
CISCO-LINKSYS, LLC,)	
)	
Defendants.)	

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED and agreed by and between the parties hereto, Plaintiff ESN, LLC (“ESN”) and Defendants Cisco Systems, Inc. and Cisco-Linksys, LLC (collectively “Cisco”), by and through their counsel of record:

1. This action shall be dismissed without prejudice pursuant to Fed. R. Civ. P. 41 (a)(2) (it being understood that the last sentence of Fed. R. Civ. P. 41 (a)(1) does not, and shall not, apply in a manner that renders this dismissal to be with prejudice) and without costs, and ESN shall have the express right to re-file this action consistent with the terms of this Stipulation seeking the full range of relief, attorneys fees, and costs.

Respectfully submitted,
FOR PLAINTIFF, ESN, LLC:



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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 2nd day of November, 2007.

A handwritten signature in black ink, appearing to read "Eric M. Albritton", written over a horizontal line.

Eric M. Albritton