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

KLAUSNER TECHNOLOGIES, INC.,	§	
a New York corporation,	§	
	§	C.A. 6:08-cv-341 (LED)
Plaintiff,	§	
	§	(JURY TRIAL)
VS.	§	
	§	
Verizon Wireless (Cellco Partnership d/b/a	§	
Verizon Wireless), a Delaware general	§	
partnership; Verizon Data Services LLC, a	§	
Delaware limited liability company; Bell Atlantic	§	
Communications, Inc., a Delaware corporation;	§	
Citrix Systems, Inc., a Delaware corporation;	§	
Comverse, Inc., a Delaware corporation; Cox	§	
Communications, Inc., a Delaware corporation;	§	
Embarq Communications, Inc., a Delaware	§	
corporation; Google Inc., a Delaware corporation;	§	
GrandCentral Communications, Inc., a Delaware	§	
corporation; LG Electronics Mobilecomm U.S.A.,		
Inc., a California Corporation; PhoneFusion, Inc.,		
a Delaware corporation; RingCentral, Inc., a		
California Corporation,		
▲ ·		
Defendants.		

JOINT MOTION TO DISMISS

NOW COMES the Plaintiff Klausner Technologies, Inc. and Defendant RingCentral, Inc., and respectfully move the Court to dismiss this cause of action between them, and in

support thereof would respectfully show the Court as follows:

All matters in controversy between Klausner Technologies, Inc. and RingCentral, Inc., have been settled and compromised, and these parties therefore jointly move to dismiss all causes of action asserted or which could have been asserted in this suit, with prejudice to the right to pursue any such claims in the future. 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 this action be dismissed with prejudice between them, with all costs of court being assessed against the party who incurred them.

Dated: April 22, 2009

Respectfully submitted,

By: /s/ Elizabeth L. DeRieux S. Calvin Capshaw State Bar No. 03783900 Elizabeth L. DeRieux State Bar No. 05770585 Capshaw DeRieux, L.L.P. 1127 Judson Road, Suite 220 Longview, TX 75601 Telephone: (903) 236-9800 Facsimile: (903) 236-8787 E-mail: <u>ccapshaw@capshawlaw.com</u> E-mail: <u>ederieux@capshawlaw.com</u>

> Gregory S. Dovel State Bar No. 135387 Sean A. Luner State Bar No. 165443 Dovel & Luner, LLP 201 Santa Monica Blvd., Suite 600 Santa Monica, CA 90401 Telephone: (310) 656-7066 Facsimile: (310) 657-7069 E-mail: greg@dovellaw.com E-mail: sean@dovellaw.com

ATTORNEYS FOR PLAINTIFF, KLAUSNER TECHNOLOGIES, INC.

By: <u>/s/ Scott Stevens by permission ELD</u> Scott Stevens Stevens Law Firm 111 W. Tyler Street Longview , TX 75601 Telephone: (903) 753-6760 Facsimile: (903) 753-6761 E-mail: scott@seslawfirm.com

Melissa Basch Ring Central Inc 1 Lagoon Drive Redwood City , Ca 94065 Telephone: (650) 472-4078 Facsimile: (650) 472-4038 E-mail: Melissab@ringcentral.com

ATTORNEYS FOR DEFENDANT RINGCENTRAL, INC.

CERTIFICATE OF SERVICE

This is to certify that all counsel of record who are deemed to have consented to electronic service are being served this 22^{nd} day of April, 2009, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served via electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Elizabeth L. DeRieux