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

KLAUSNER TECHNOLOGIES, INC.,	§	
a New York corporation,	§	
	§	Case No. 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 Plaintiff Klausner Technologies, Inc. and Defendant PhoneFusion, 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 PhoneFusion, 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: October 13, 2008 Respectfully submitted,

By: /s/ Elizabeth L. DeRieux

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(signed with permission by Elizabeth L. DeRieux)

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## **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 13<sup>th</sup> day of October, 2008, 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
Elizabeth L. DeRieux