

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

TYLER DIVISION

ALOFT MEDIA, LLC,

Plaintiff,

v.

YAHOO!, INC., GOOGLE, INC. and  
AOL LLC

Defendant.

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Civil Action No. 6:08-cv-509

JURY TRIAL DEMANDED

JOINT MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 41(a)(1), Aloft Media LLC and AOL LLC jointly move to dismiss all claims between them in this action with prejudice pursuant to the Agreement reached by the parties. AOL LLC shall retain its ability to assert all defenses and/or claims in the event of any further litigation. Each party is to bear its own costs and attorney fees.

Respectfully submitted,



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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, on this the 3rd day of April, 2009.

  
Eric M. Albritton