

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

TYLER DIVISION

ALOFT MEDIA, LLC,

Plaintiff,

v.

ORACLE CORPORATION, ET AL.,

Defendants.

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Civil Action No. 6:09-CV-304-LED

JURY TRIAL DEMANDED

**JOINT MOTION TO DISMISS DEFENDANT SCOTTRADE, INC.  
WITH PREJUDICE UNDER FED. R. CIV. P. 41(a)(2)**

Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff Aloft Media, LLC (“Aloft”) and Defendant Scottrade, Inc. (“Scottrade”) jointly move to dismiss with prejudice: (1) all claims brought by Aloft against Scottrade; and (2) all claims, counterclaims and defenses made by Scottrade against Aloft.

Aloft and Scottrade will each bear its own costs, expenses and legal fees.

This dismissal does not affect any other named defendants.

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 document 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 8th day of October 2010.



Eric M. Albritton