

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

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|----------------------|---|----------------------|
| ALOFT MEDIA LLC, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 6:09-CV-304 |
| |) | |
| ORACLE CORP., ET AL. |) | |
| |) | |
| |) | |
| Defendants. |) | |
| |) | |

ORDER OF DISMISSAL

The Court grants the joint motion to dismiss filed by Aloft Media, LLC (“Aloft Media”) and Google Inc. (“Google”). All claims brought by Aloft Media LLC are dismissed with prejudice, and all claims, counterclaims and defenses made by Google Inc. are dismissed without prejudice. Google shall retain its ability to assert all defenses and/or claims in the event of any further litigation. Aloft has not released, and nothing in this dismissal shall be construed as a license, release or discharge of, any claim Aloft has or may have in the future against any other defendant named in this action. All such rights have been, and are, expressly reserved. Each party is to bear its own costs and attorney fees.

So ORDERED and SIGNED this 21st day of September, 2009.



**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**