



considered the Parties' requests, is of the opinion that the request for dismissal should be GRANTED.

IT IS THEREFORE ORDERED that any and all claims made by Eolas against J.C. Penney Company, Inc. in the above-captioned action and any and all counterclaims made by J.C. Penney Company, Inc. against Eolas in the above-captioned action are dismissed in accordance with the representations and stipulations set forth in the stipulated motion, without prejudice to re-filing and without an award of fees, costs, or expenses. This dismissal shall have no bearing on Eolas' claims with respect to the other defendants in the above-captioned action or the correctly named corporate entity of J.C. Penney Corporation, Inc.