

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

Parallel Networks, LLC,

Plaintiff,

v.

Adidas America, Inc. et al.

Defendants

No. 6:10-cv-00491-LED

Jury Trial Demanded

**AGREED STIPULATION FOR DISMISSAL OF DEFENDANT  
MOTOROLA TRADEMARK HOLDINGS, LLC WITHOUT PREJUDICE**

Plaintiff Parallel Networks, LLC (“Plaintiff”), and Defendants Motorola, Inc. and Motorola Trademark Holdings, LLC (collectively “Motorola”) respectfully submit the following:

1. On September 23, 2010, Plaintiff filed suit against Defendants Motorola.
2. Defendant Motorola Trademark Holdings, LLC has filed an answer, but has not yet filed any counterclaims.
3. Defendants Motorola represent to Plaintiff that Motorola Trademark Holdings, LLC is a holding company that does not conduct operations and is not the proper entity to be sued for the allegations in the complaint. While denying that there is any infringement of a valid claim of the patent-in-suit, Motorola represent that the proper entity in interest should be Motorola, Inc.
4. This dismissal is without prejudice to refileing.
5. Defendant Motorola Trademark Holdings, LLC is dismissed from this case by way of this agreed stipulation; Defendant Motorola, Inc. is not dismissed and shall remain as a defendant.

Therefore, pursuant to Fed. R. Civ. P. 41(a), Plaintiff Parallel Networks and Defendants Motorola hereby stipulate and request that the Court enter an order dismissing Defendant Motorola Trademark Holdings, LLC from this case WITHOUT PREJUDICE, with each party to bear its own costs, expenses and attorneys fees.

Respectfully submitted,

Dated: December 10, 2010

/s/ Eric H. Findlay

Eric H. Findlay  
State Bar No. 00789886  
Brian Craft  
State Bar No. 04972020  
Findlay Craft, LLP  
Principal Office:  
6760 Old Jacksonville Hwy  
Suite 101 Tyler, Texas 75703  
Tel: (903) 534-1100  
Fax: (903) 534-1137  
Email: [efindlay@findlaycraft.com](mailto:efindlay@findlaycraft.com)  
Email: [bcraft@findlaycraft.com](mailto:bcraft@findlaycraft.com)

Jonathan M. Sobel (*pro hac vice* admission pending)  
Mitchell S. Feller (*pro hac vice* admission pending)  
SOBEL & FELLER LLP  
444 Madison Avenue, 17th Floor  
New York, NY 10022  
212-308-0600 (voice)  
212/308-0611 (fax)  
[jmsobel@sobelfeller.com](mailto:jmsobel@sobelfeller.com)  
[msfeller@sobelfeller.com](mailto:msfeller@sobelfeller.com)

ATTORNEYS FOR DEFENDANTS  
MOTOROLA, INC. AND MOTOROLA  
TRADEMARK HOLDINGS, LLC

/s/ Charles Craig Tadlock

Charles Craig Tadlock  
Texas State Bar No. 00791766  
TADLOCK LAW FIRM  
400 E. Royal Lane, Suite 290  
Irving, Texas 75039  
214-785-6014 (phone)  
[craig@tadlocklawfirm.com](mailto:craig@tadlocklawfirm.com)  
and  
315 N. Broadway, Suite 307  
Tyler, Texas 75702  
903-283-2758 (phone)

George S. Bosy (*pro hac vice*)  
David R. Bennett (*pro hac vice*)  
Bosy & Bennett  
300 N. La Salle St.  
49<sup>th</sup> Floor  
Chicago, IL 60654  
Telephone: (312) 803-0437  
Email: [gbosy@bosybennett.com](mailto:gbosy@bosybennett.com)  
[dbennett@bosybennett.com](mailto:dbennett@bosybennett.com)

ATTORNEYS FOR PLAINTIFF  
PARALLEL NETWORKS, LLC

**CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for Plaintiff Parallel Networks and Defendants Motorola have conferred by phone in accordance with Local Rule CV-7, and that this is an agreed stipulation.

*/s/ Charles Craig Tadlock* \_\_\_\_\_

Charles Craig Tadlock

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 13th day of December, 2010, 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 by electronic mail, facsimile transmission and/or first class mail on this same date.

*/s/ Charles Craig Tadlock* \_\_\_\_\_

Charles Craig Tadlock