

**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
ADIDAS INTERACTIVE, INC. WITHOUT PREJUDICE**

Plaintiff Parallel Networks, LLC (“Plaintiff”), and Defendants adidas America, Inc. and adidas Interactive, Inc. (collectively “adidas”) respectfully submit the following:

1. On September 23, 2010, Plaintiff filed suit against Defendants adidas.
2. Defendant adidas Interactive, Inc. has filed an answer, but has not yet filed any counterclaims.
3. Defendants adidas represent to Plaintiff that adidas Interactive, Inc. is no longer in existence and merged into adidas America, Inc. While denying that there is any infringement of a valid claim of the patent-in-suit, adidas represents that the proper entity in interest should be adidas America, Inc.
4. This dismissal is without prejudice to refileing.
5. Defendant adidas Interactive, Inc. is dismissed from this case by way of this agreed stipulation; Defendant adidas America, Inc. is not dismissed and shall remain as a defendant.

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

Respectfully submitted,

Dated: December 21, 2010

/s/ C. Erik Hawes

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ATTORNEYS FOR PLAINTIFF
PARALLEL NETWORKS, LLC

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff Parallel Networks and Defendants adidas 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 21st 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