

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

WI-LAN INC.,	§	
	§	
	§	
Plaintiff,	§	Civil Action No. 6:10-CV-521-LED
v.	§	Civil Action No. 6:13-CV-252-LED
	§	
ALCATEL-LUCENT USA INC., <i>et al.</i> ,	§	CASES CONSOLIDATED FOR TRIAL
	§	
Defendants.	§	
	§	
	§	
	§	

STIPULATION AND JOINT MOTION TO DISMISS WITH PREJUDICE

Plaintiff Wi-LAN, Inc. (“Wi-LAN”) and Defendant Alcatel-Lucent USA Inc. (“Alcatel-Lucent”) by and through their counsel of record, hereby stipulate and request the Court order as follows:

- (1) All claims at issue between Wi-LAN and Alcatel-Lucent in this action, including all claims presented by Wi-LAN and all of Alcatel-Lucent’s counterclaims, shall be dismissed with prejudice;
- (2) Wi-LAN and Alcatel-Lucent each shall bear their own costs and attorneys’ fees;
- (3) Alcatel-Lucent withdraws the following pending motions and/or oppositions:
 - a. Alcatel Lucent’s joinder to Defendants’ Motion to Recover Attorneys’ Fees (Dkt. No. 475);
 - b. Alcatel-Lucent’s Agreed Bill of Costs (Dkt. No. 478);
 - c. Alcatel-Lucent’s joinder to Defendants’ oppositions (Dkt. Nos. 491, 492) to Wi-LAN’s Motion for a New Trial (Dkt. No. 481) and Renewed Motion for Judgment as a Matter of Law of No Invalidity (Dkt. No. 482);

d. Alcatel-Lucent's joinder to Alcatel-Lucent and HTC's opposition (Dkt. No. 495) to Wi-LAN, Ericsson, and Sony Mobile's Partially Opposed Joint Motion to Seal Certain Trial Exhibits.

Dated: September 17, 2013

Respectfully submitted,

/s/Akshay S. Deoras (by permission)

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically pursuant to Local Rule CV-5(a) and served on all counsel of record via the Court's ECF and by electronic means on counsel of record on September 17, 2013.

/s/ Ajeet P. Pai _____