

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

PERSONAL AUDIO, LLC,

Plaintiff,

v.

XM SATELLITE RADIO, INC.

Defendants.

CASE NO. 9:10-CV-00035-RC

JURY TRIAL DEMANDED

**ORDER GRANTING XM SATELLITE RADIO INC.'S
MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(6)**

This Court has considered Defendant XM Satellite Radio Inc.'s ("XM") Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6).

This Court finds that XM's Motion to Dismiss should be GRANTED.

This Court ORDERS that all claims and causes of action asserted against XM in Plaintiff's Complaint for Patent Infringement are dismissed with prejudice.

All other relief not specifically granted is DENIED.