

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF TEXAS
 DALLAS DIVISION

i.think.inc.	§	
	§	
Plaintiff	§	
	§	
v.	§	Case 3-08CV0163-P
	§	
MINEKEY, INC.,	§	
DELIP ANDRA, and	§	
INTERNET UNLIMITED, LLC	§	JURY TRIAL DEMANDED
	§	
Defendants	§	

DEFENDANT INTERNET UNLIMITED’S MOTION TO DISMISS
 FOR FAILURE TO STATE A CLAIM FOR WHICH RELIEF CAN BE GRANTED

COMES NOW, INTERNET UNLIMITED, LLC and files this Motion to Dismiss
 For Failure To State A Claim For Which Relief Can Be Granted and respectfully shows:

SUMMARY OF GROUNDS FOR MOTION

1. This motion asks that this case be dismissed because Internet Unlimited is cited in only one count (III) of Plaintiff’s complaint. That count, entitled “Breach of Contract” fails to state a claim for which relief can be granted because it fails to allege at least two elements of a breach of contract claim against Internet Unlimited.

2. The elements of a breach of contract claim in Texas are set forth at the beginning of the Brief in support of this motion.

For the reasons cited in this Motion and the Supporting Brief, Internet Unlimited, requests that Plaintiff’s Complaint against Internet Unlimited be dismissed under Rule 12(b)(6), FED. R. CIV. P.

Respectfully submitted,



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ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded to the below listed party by ECF on March 13, 2008:

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