

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

HEARTBRAND BEEF, INC. §
§
Plaintiff, §
§
vs. §
§
LOBEL'S OF NEW YORK, LLC, §
WORLDWIDE MEDIA, INC. THOUGHT §
CONVERGENCE, INC. and YAHOO! INC. §
Defendants. §

Civil Action No. 6:08-cv-00062

ORDER

ON THIS DAY, came on for consideration "Defendant Yahoo!, Inc.'s Motion to Dismiss" (Docket No. 23), and the Court, after considering the pleadings and arguments of counsel, finds that the Motion is not well taken and should be DENIED.

Accordingly, it is ORDERED, that "Defendant Yahoo!, Inc.'s Motion to Dismiss" (Docket No. 23) is DENIED.

SIGNED this ____ day of _____, 2008.

John D. Rainey
United States District Judge