

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

HEARTBRAND BEEF, INC. §
§
Plaintiff, §
§
vs. § Civil Action No. 6:08-cv-00062
§
LOBEL’S OF NEW YORK, LLC, §
WORLDWIDE MEDIA, INC. THOUGHT §
CONVERGENCE, INC. and YAHOO! INC. §
Defendants. §

CERTIFICATE OF CONFERENCE
REGARDING “JOINT MOTION TO DIMISS
DEFENDANT, THOUGHT CONVERGENCE, INC. WITH PREJUDICE”

Plaintiff, Heartbrand Beef, Inc. (“Heartbrand”) hereby files this “Certificate of Conference Regarding ‘Joint Motion to Dismiss Defendant, Thought Convergence, Inc. With Prejudice’”. On November 11, 2008, Heartbrand and Defendant, Thought Convergence, Inc. (“Thought Convergence”) filed a “Joint Motion to Dismiss Defendant, Thought Convergence, Inc. With Prejudice”.¹ Because the Motion was filed as a Joint Motion, it was not believed that a Certificate of Conference was needed. However, the undersigned has been informed by the Clerk’s Office for the United States District Court for the Southern District of Texas, Victoria Division, that a Certificate of Conference is needed.

Therefore, the undersigned counsel hereby certifies that counsel for Heartbrand conferred with Thought Convergence’s counsel, regarding the “Joint Motion to Dismiss Defendant, Thought Convergence, Inc. With Prejudice” prior to filing that Motion on November 11, 2008, and again today, and counsel for Thought Convergence indicated that Thought Convergence did not then, and does not now, oppose the filing of the Motion.

¹ Docket No. 54.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Heartbrand Beef, Inc. prays that this Court dismiss Thought Convergence, Inc. with prejudice from this lawsuit.

Respectfully submitted,

By: /s/ Ted D. Lee

Ted D. Lee
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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of December, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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/s/ Ted D. Lee