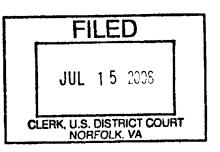
IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA NORFOLK DIVISION



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Plaintiff,

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AOL, LLC, GOOGLE, INC., MICROSOFT CORP., and MIVA, INC.,

Defendants.

CASE NO. 2:07-ev-582 JBF/TEM

STIPULATION AND ORDER OF DISMISSAL

Plaintiff Bid For Position, LLC ("Bid For") and Defendant MIVA, Inc. ("MIVA") have agreed to settle all claims between them arising out of the pleadings in this action.

Accordingly, pursuant to Fed. R. Civ. P. 41(a), it is hereby stipulated by Bid For and MIVA that all claims asserted by Bid For against MIVA in this action are hereby dismissed with prejudice, and all counterclaims asserted by MIVA against Bid For in this action are hereby dismissed without prejudice, with each party to bear its own costs and attorneys' fees. This Court retains jurisdiction to enforce the Settlement Agreement entered into and agreed to by the parties on June 20, 2008.

It is so ORDERED.

ENTER: 7 /15 / 08

Jerome B. Friedman

JUDGE: United States District Judge

United States District Court Eastern District of Virginia Agreed to by:

Dana J. Finberg (VSB No. 34977) Rhodes B. Ritenour (VSB No. 71406)

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