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THE HON. RICARDO MARTINEZ
Noted for Hearing: November 30, 2007

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMIGA, INC., a Delaware corporation,

Plaintiff,

and

HYPERION VOF, a Belgium corporation,

Defendant/Counterclaim Plaintiff,

v.

ITEC, LLC, a New York Limited Liability
Company,

Counterclaim Defendant.

CAUSE NO. CV07-0631RSM

**[PROPOSED] ORDER DISMISSING
HYPERION VOF'S CLAIMS AGAINST
ITEC, LLC**

THIS MATTER came on regularly before this Court on Crossclaim Defendant Itec,
LLC's *Motion To Dismiss Or, In The Alternative, To Transfer*. The Court has reviewed the
following documents:

**[PROPOSED] ORDER DISMISSING HYPERION VOF'S
CLAIMS AGAINST ITEC, LLC - 1**

Case No. CV07-0631RSM

CABLE, LANGENBACH,
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BUILDING
SEATTLE, WASHINGTON 98104-
1048
(206) 292-8800

- 1) *Notice of Motion And Motion; Memorandum Of Points And Authorities In Support Of Motion To Dismiss Or, In The Alternative, To Transfer;*
- 2) *The Declaration of Lance Gothoffer, with exhibits thereto;*
- 3) *The Declaration of Jeff Grzymala, with exhibits thereto;*
- 4) Hyperion's opposition to Itec, LLC's *Motion To Dismiss, Or In the Alternative To Transfer*, if any;
- 5) Itec, LLC's reply in support of *Motion To Dismiss Or, In The Alternative, To Transfer*, if any; and
- 6) The records and files herein.

The Court has heard arguments of counsel and deems itself fully apprised. NOW THEREFORE it is hereby:

ORDERED, ADJUDGED, AND DECREED that Itec, LLC's *Motion To Dismiss Or, In The Alternative, To Transfer*, is GRANTED and all claims brought by Hyperion, VOF against Itec, LLC are DISMISSED.

DONE IN OPEN COURT this _____ day of _____, 2007.

THE HONORABLE RICHARD MARTINEZ

1 Presented by:

2 CABLE, LANGENBACH, KINERK & BAUER, LLP
3

4 By: /s/

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Attorneys for Counterclaim Defendant ITEC, LLC

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26 **[PROPOSED] ORDER DISMISSING HYPERION VOF’S**
27 **CLAIMS AGAINST ITEC, LLC - 3**

Case No. CV07-0631RSM

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CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

William A. Kinsel
Law Offices of William A. Kinsel, PLLC
Market Place Tower
2025 First Avenue, Suite 440
Seattle, WA 98121

A copy was also served by hand delivery on November 8, 2007.

/s/
Lawrence R. Cock, WSBA No. 20326
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