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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

INTERVAL LICENSING LLC,  
  
Plaintiff,  
  
v.  
  
AOL, INC. et al.,  
  
Defendants.

No. 2:10-CV-01385-MJP  
  
[PROPOSED] ORDER GRANTING  
DEFENDANT APPLE INC.'S MOTION  
TO DISMISS FOR FAILURE TO  
STATE A CLAIM UPON WHICH  
RELIEF CAN BE GRANTED  
PURSUANT TO FED. R. CIV. P.  
12(b)(6)

This matter comes before the Court on Defendant Apple Inc.'s ("Apple") Motion to Dismiss For Failure To State A Claim Upon Which Relief Can Be Granted Pursuant To Fed. R. Civ. P. 12(b)(6) ("Motion"). Having considered Apple's Motion, plaintiff Interval Licensing LLC's Response, and Apple's Reply, the Court hereby GRANTS Apple's Motion. Interval's Complaint against Apple is DISMISSED.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Hon. Marsha J. Pechman  
U.S. District Court Judge

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this date, I electronically filed the foregoing document with the  
3 Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

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19 I declare under penalty of perjury under the laws of the State of Washington that the  
20 foregoing is true and correct.

21 Dated this 21st day of October, 2010 at Seattle, Washington.

22 */s/ Colette Saunders* \_\_\_\_\_

23 Colette Saunders  
24 Legal Assistant

