

THE HONORABLE MARSHA J. PECHMAN

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

REC SOFTWARE USA, INC., a Virginia  
corporation,

Plaintiff/Counter-Defendant,

v.

HTC AMERICA, INC., a Washington  
corporation,

Defendant/Counter-Plaintiff.

Case No. 2:14-cv-01025-MJP

**ORDER OF DISMISSAL WITH  
PREJUDICE**

On this day, Plaintiff REC Software USA, Inc. (“Plaintiff”) and Defendant HTC America, Inc. (“Defendant”) announced to the Court that they have resolved Plaintiff’s claims for relief against Defendant asserted in this case and Defendant’s claims, defenses and counterclaims for relief against Plaintiff asserted in this case. Plaintiff and Defendant have therefore requested that the Court dismiss Plaintiff’s claims for relief against Defendant with prejudice and Defendant’s claims, defenses and counterclaims for relief against Plaintiff without prejudice, and with all attorneys’ fees, costs and expenses taxed against the party incurring same. The Court, having considered this request, is of the opinion that their request for dismissal should be granted.

IT IS THEREFORE ORDERED that Plaintiff’s claims for relief against Defendant are dismissed with prejudice and Defendant’s claims, defenses and counterclaims for relief against Plaintiff are dismissed without prejudice.

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**ORDER OF DISMISSAL WITH  
PREJUDICE**

1 IT IS FURTHER ORDERED that all attorneys' fees, costs of court and expenses shall  
2 be borne by each party incurring the same.

3 IT IS SO ORDERED.

4 DATED this 9th day of April, 2015.

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7 Marsha J. Pechman  
8 United States District Judge  
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14 PRESENTED this 9th day of April, 2015, by:

15 /s/Timothy S. DeJong WSBA No. 20941  
16 *Attorney for REC Software USA, Inc.*

17 /s/ Colin B. Heideman, WSBA No. 44873  
18 *Attorney for HTC America, Inc.*  
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