

EXHIBIT K

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MOTOROLA MOBILITY, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 10-867-GMS
)	
APPLE INC. and NEXT SOFTWARE,)	
INC.,)	
)	
Defendants.)	

**DEFENDANTS’ MOTION TO DISMISS
OR, IN THE ALTERNATIVE, TO TRANSFER VENUE**

Defendants Apple Inc. (“Apple”) and NeXT Software, Inc. (“NeXT”) (collectively “Defendants”) hereby respectfully move for dismissal or, in the alternative, for transfer of the above-captioned action to the Western District of Wisconsin. The grounds for this motion are fully set forth in Defendants’ accompanying opening brief.

ASHBY & GEDDES

/s/ Tiffany Geyer Lydon

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Dated: December 2, 2010

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FOR THE DISTRICT OF DELAWARE**

MOTOROLA MOBILITY, INC.,)	
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Plaintiff,)	
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vi.)	C.A. No. 10-867-GMS
)	
APPLE INC. and NEXT SOFTWARE,)	
INC.,)	
)	
Defendants.)	

**ORDER GRANTING DEFENDANTS’ MOTION TO DISMISS
OR, IN THE ALTERNATIVE, TO TRANSFER VENUE**

The Court, having reviewed and considered Defendants’ Motion to Dismiss or, in the Alternative, to Transfer Venue, finds good cause to GRANT Defendants’ Motion.

IT IS HEREBY ORDERED that the foregoing motion is granted and Motorola’s Complaint for Declaratory Relief is hereby DISMISSED.

SO ORDERED this ____ day of _____, 2010.

Chief Judge

CERTIFICATION PURSUANT TO LOCAL RULE 7.1.1

I hereby certify that the subject of the attached motion has been raised with counsel for Plaintiff Motorola Mobility, Inc., and that no agreement could be reached regarding the requested relief.

/s/ Tiffany Geyer Lydon

Tiffany Geyer Lydon