

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PKOH NYC, LLC
Plaintiff,

Case No: 13-cv-04913-PKC

v.

JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
DISMISSAL WITH PREJUDICE

EVRIHOLDER PRODUCTS, LLC
Defendant.

Honorable P. Kevin Castel

Case No. C-04-2995-CRB

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), Plaintiff PKOH NYC, LLC ("PKOH") and Defendant (collectively, "PKOH") through their respective counsel of record, hereby jointly stipulate to the dismissal of this entire action:

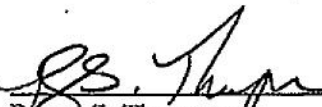
1. PKOH's claim regarding the alleged infringement of U.S. Patent No. 7,959,036 is dismissed with prejudice in its entirety;
2. Each party shall bear its own attorney's fees and costs relating to this action.
3. The parties respectfully request that the Court enter the Order attached hereto.

SO STIPULATED:

Dated: December 23, 2013

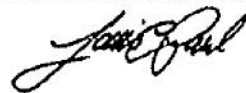
Law Offices of Roger S. Thompson

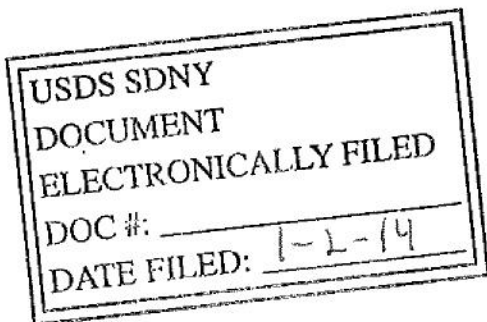
By:


Roger S. Thompson,
Attorney for Plaintiff

Louis C. Paul & Associates, PLLC

By:


Louis C. Paul
Attorney for Defendant



[PROPOSED] ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, IT HEREBY ORDERED THAT this entire action is dismissed with prejudice as follows:

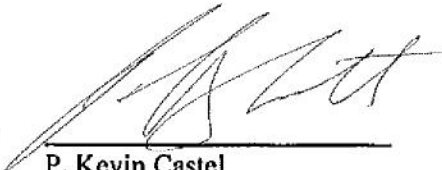
1. PKOH's claim regarding the alleged infringement of U.S. Patent No. 7,959,036 is dismissed with prejudice in its entirety;
2. Each party shall bear its own attorney's fees and costs relating to this action.

Dated:

~~_____, 2013~~

1-2-14

By:



P. Kevin Castel
United States District Judge