

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

CATCH CURVE, INC.,

Plaintiff,

v.

FAXBACK, INC.,

Defendants.

Civil Action File No.
1:09-cv-0872-BBM

STIPULATION OF MUTUAL DISMISSAL WITHOUT PREJUDICE

Pursuant to Fed. R. of Civ. P. 41(a), Plaintiff Catch Curve, Inc. and Defendant Faxback, Inc. hereby stipulate to the dismissal, without prejudice, of all claims and counterclaims asserted herein. Each party shall bear its own costs and attorney fees in connection with this action.

Respectfully submitted, this 22nd day of October, 2009.

<p><u>/s/Dan R. Gresham</u> Dan R. Gresham Georgia Bar No. 310280 Melissa Rhoden Georgia Bar No. 143160 Thomas, Kayden, Horstemeyer & Risley, L.L.P. 600 Galleria Parkway, Suite 1500 Atlanta, Georgia 30339 Telephone:(770) 933-9500 Facsimile: (770) 951-0933</p> <p>Attorneys for Plaintiff Catch Curve, Inc.</p>	<p><u>/s/Charles R. Bridgers</u> (by Dan R. Gresham w/express permission) Charles R. Bridgers Delong, Caldwell & Bridgers, L.L.C. 3100 Centennial Tower 101 Marietta Street Atlanta, Georgia 30303 Tel: (404) 979-3150 Fax: (404) 979-3170</p> <p>Curt Edmondson California Bar No. 236105 USPTO # 57,027 Admitted C.D. of California (<i>admitted pro hac vice</i>) 15490 NW Oak Hills Dr. Beaverton, OR 97006 Tel: (503) 701-9719 Fax: (503) 214-8470</p> <p>Attorneys for Defendant Faxback, Inc.</p>
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CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2009, a true and correct copy of the within and foregoing **“STIPULATION OF MUTUAL DISMISSAL WITHOUT PREJUDICE”** was caused to be served upon the following attorney of record for Defendant by electronic filing with the Clerk of Court using the CM/ECF system:

Charles R. Bridgers
Delong, Caldwell & Bridgers, LLC
3100 Centennial Tower
101 Marietta Street
Atlanta, Georgia 30303

/s/ Dan R. Gresham
Attorney for Plaintiff
Catch Curve, Inc.