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BANK OF AMERICA CORPORATION
and BANK OF AMERICA. N.A.

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16 **UNITED STATES DISTRICT COURT**
17 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
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19 NANTWORKS, LLC, a Delaware
20 limited liability company, and NANT
HOLDINGS IP, LLC, a Delaware
21 limited liability company,

22 Plaintiffs,

23 vs.

24 BANK OF AMERICA
CORPORATION, a Delaware
25 corporation, and BANK OF
AMERICA, N.A., a national banking
26 association,

27 Defendants.
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CASE NO. CV 20-7872-GW-PVCx

**ORDER GRANTING STIPULATED
MOTION TO DISMISS WITH
PREJUDICE**

Hon. George H. Wu

1 Before this Court is the Stipulated Motion to Dismiss with Prejudice of
2 Plaintiffs Nantworks, LLC, and Nant Holdings IP, LLC (collectively, “Plaintiffs” or
3 “NantWorks”) and Defendants Bank of America Corporation and Bank of America,
4 N.A. (collectively, “Defendants” or “Bank of America”) (“NantWorks” and “Bank of
5 America” together as the “Parties). The Court, having reviewed the Stipulated
6 Motion, and for good cause shown, is of the opinion that the Motion should be
7 **GRANTED**.

8 It is therefore **ORDERED** that NantWorks’s allegations of infringement
9 relating to the ’038 Patent (including Count III of its First Amended Complaint), and
10 associated claims for damages, are dismissed with prejudice.

11 It is further **ORDERED** that Bank of America’s counterclaims for declaratory
12 judgment of non-infringement and invalidity of the ’038 Patent (including Counts
13 Five and Six in Bank of America’s Answer to First Amended Complaint, Affirmative
14 Defenses, and Counterclaims) are dismissed with prejudice.

15 It is further **ORDERED** that each party bears its own fees and costs as to the
16 dismissed claims, but the parties still have the right to seek attorneys’ fees (e.g., under
17 35 U.S.C. § 285) and costs for the remaining claims in this case upon adjudication of
18 all the remaining claims.

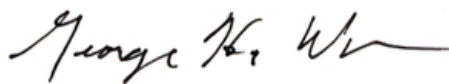
19 The Court retains jurisdiction over the Parties to enforce the terms of the
20 Stipulated Motion and this Order.

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23 DATED: February 9, 2022

By



Honorable George H. Wu
United States District Judge

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