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Attorneys for Defendants
BANK OF AMERICA
CORPORATION AND BANK OF
AMERICA, N.A.

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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

NANTWORKS, LLC, a Delaware
limited liability company, and NANT
HOLDINGS IP, LLC, a Delaware
limited liability company,

Plaintiffs,

vs.

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

Defendants/Counter-
Plaintiffs.

CASE NO. 2:20-cv-7872-GW-PVC

**[PROPOSED] ORDER ON JOINT
MOTION TO DISMISS COUNTS
VI, X & XI OF THE FIRST
AMENDED COMPLAINT AND
COUNTS XI & XII OF
DEFENDANTS'
COUNTERCLAIMS**

1 Having reviewed the Joint Stipulation and Motion to Dismiss Counts VI, X,
2 and XI of Plaintiffs’ First Amended Complaint and Counts XI and XII of Defendants’
3 Counterclaims, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and
4 in an effort to narrow the case, **IT IS HEREBY ORDERED THAT:**

- 5 1. Plaintiffs’ claim for infringement of the ‘897 Patent, Dkt. 40, Count VI,
6 and Defendants’ counterclaims for declaratory judgment of non-
7 infringement and invalidity of the ‘897 Patent, Dkt. 99, Counts XI and
8 XII, are hereby dismissed with prejudice.
- 9 2. Plaintiffs’ claims for violation of the Defend Trade Secrets Act and for
10 misappropriation of trade secrets under California law, Dkt. 40, Counts
11 X & XI respectively, are dismissed with prejudice.
- 12 3. This Order is not an adjudication on the merits of any of the claims or
13 counterclaims that are hereby dismissed with prejudice.
- 14 4. The Parties will each bear their own costs and fees with respect to the
15 dismissed claims or counterclaims, and this stipulation and dismissal will
16 not be used by either party in this litigation.

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18 **IT IS SO ORDERED.**

19 DATED: January __, 2024

20 HON. GEORGE H. WU,
21 United States District Judge

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