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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

DIONNE CHOYCE, an individual,

Plaintiff

v.

SF BAY AREA INDEPENDENT MEDIA
CENTER, aka IMC, SF BAY AREA, aka SF
BAY AREA IMC, an unincorporated
association; LAYER42.NET, INC., a
California Corporation; CERNIO
TECHNOLOGY COOPERATIVE, an
unincorporated association; and Does 1-10,

Defendants.

Case No.: CV-13-01842

**[proposed] ORDER GRANTING MOTION
TO DISMISS/SPECIAL MOTION TO
STRIKE**

1 The motion of Defendant LAYER42.NET, INC. to dismiss Plaintiff DIONNE
2 CHOYCE's Complaint, and special motion to strike Choyce's state law claims, came on for
3 hearing in Courtroom 9 of this Court on [DATE] at [TIME]. Daniel L. Casas, Esquire
4 appeared on behalf of Defendant and moving party Layer42.net, Inc. Dow Patten, Esquire
5 appeared on behalf of Plaintiff Dionne Choyce.

6 Having read and considered the motion, the memoranda and declarations filed by
7 the parties, and having heard argument of counsel, the Court finds as follows:

8 Layer42.net, Inc.'s motion to dismiss Dionne Choyce's cause of action for copyright
9 infringement is GRANTED.

10 Layer42.net, Inc.'s motion to dismiss Dionne Choyce's cause of action for
11 defamation is GRANTED.

12 Layer42.net, Inc.'s motion to dismiss Dionne Choyce's cause of action for libel is
13 GRANTED.

14 Layer42.net, Inc.'s special motion to strike Dionne Choyce's causes of action for
15 defamation and libel is GRANTED pursuant to California Code of Civil Procedure Section
16 425.16.

17
18 Layer42.net, Inc.'s request for an award of attorney's fees and costs pursuant to
19 California Code of Civil Procedure Section 425.16(c) is GRANTED in an amount to be
20 determined upon motion and hearing.

21
22
23 IT IS SO ORDERED.

24
25 Dated: _____

26 _____
27 United States District Court Judge
28