

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

AMERANTH, INC.	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No.: 2:10-cv-294-JRG-RSP
	)	
PAR TECHNOLOGY CORP., ET AL.,	)	
	)	
Defendants.	)	
_____	)	

**JOINT MOTION FOR DISMISSAL WITH PREJUDICE**

COME NOW Plaintiff/Counterclaim Defendant Ameranth, Inc. ("Ameranth") and Defendants/Counterclaim Plaintiffs Par Technology Corp. and ParTech, Inc. ("Par"), having amicably resolved their differences by entering into a confidential License Agreement, by their respective attorneys, move for entry of an Order of Dismissal With Prejudice and subject to the confidential License Agreement in the captioned civil action in the form attached hereto.

Dated: February 21, 2013

Respectfully submitted,

By:  /s/ George R. McGuire  
George R. McGuire  
Email: gm McGuire@bsk.com  
Blaine T. Bettinger  
bbettinger@bsk.com  
Fred J. M. Price  
pricefj@bsk.com  
Jeremy P. Oczek  
jpo czek@bsk.com

By:  /s/ Michael C. Smith  
Michael C. Smith  
State Bar Number 18650410  
Email: michael smith@siebman.com  
Siebman, Burg, Phillips & Smith, L.L.P.  
113 East Austin Street  
Marshall, TX 75671  
(903) 938-8900 – Telephone  
(972) 767-4620 – Facsimile

James Calaprico  
calaprij@bsk.com  
David Nocilly  
nocilld@bsk.com  
Bond Schoeneck & King, PLLC  
One Lincoln Center  
Syracuse, NY 13202-1355  
315/218-8515  
Fax: 315/218-8100

Michael E. Jones  
SBN: 10929400  
John Frederick Bufe  
SBN: 03316930  
Allen Franklin Gardner  
SBN: 24043679  
Potter Minton P.C.  
110 N. College, Suite 500  
Tyler, TX 75702  
903-597-8311  
903-593-0846 (fax)  
mikejones@potterminton.com  
johnbufe@potterminton.com  
allengardner@potterminton.com

***Attorneys for  
Defendants/Counterclaim Plaintiffs  
Par Technology Corp. and ParTech,  
Inc.***

John W. Osborne  
josborne@osborneipl.com  
Osborne Law LLC  
33 Habitat Lane  
Cortlandt Manor, NY 10567  
(914) 714-5936 - Telephone  
(914) 734-7333 - Facsimile

Michael D. Fabiano  
mdfabiano@fabianolawfirm.com  
Fabiano Law Firm, P.C.  
12526 High Bluff Drive, Suite 300  
San Diego, CA 92130  
619-742-9631 - Telephone  
858-792-3501 - Facsimile

Ethan M. Watts  
emw@ewattslaw.com  
Watts Law Offices  
12340 El Camino Real, Suite 430  
San Diego, CA 92130  
858-509-0808 - Telephone  
619-878-5784 - Facsimile

William J. Caldarelli  
wjc@chplawfirm.com  
Caldarelli Hejmanowski & Page LLP  
12340 El Camino Real, Suite 430  
San Diego, CA 92130  
858-720-8080 Telephone  
858-720-6680 Facsimile

Edward G. Dane  
ted.dane@mto.com  
Peter E. Gratzinger  
peter.gratzinger@mto.com  
Munger Tolles & Olson LLP  
355 S. Grand Ave., 35th Floor  
Los Angeles, CA 90071  
Telephone: (213) 683-9288

Peter N. Fill  
pfill@lockelord.com  
Steven M. Purdy

spurdy@lockelord.com  
Locke Lord LLP  
3 World Financial Center  
New York, NY 10281-2101  
(212) 415-8600 – Telephone  
(212) 303-2754 – Telecopier

*Attorneys for Plaintiff/Counterclaim Defendant  
Ameranth, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this 21st day of February, 2013. Any other counsel of record will be served by facsimile transmission and/or first class mail.

/s/ Michael C. Smith  
Michael C. Smith