

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

C-CATION TECHNOLOGIES, LLC,

Plaintiff,

v.

COMCAST CORPORATION, et al.,

Defendants.

Case No. 2:11-CV-00030-JRG-RSP

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by Plaintiff C-Cation Technologies, LLC (“C-Cation”) and Defendants, Comcast Cable Communications, LLC, Comcast of Houston, LLC, Charter Communications, Inc., Cable One, Inc., and Cequel Communications, LLC dba Suddenlink Communications (collectively, “Defendants”), by and through their undersigned counsel, that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and in accordance with the terms of a settlement agreement between the parties, all claims in this action between C-Cation and Defendants are hereby dismissed with prejudice, with each party to bear its own costs and attorneys’ fees in this action.

DATED: January 21, 2014

Of Counsel:

Lewis V. Popovski
lpopovski@kenyon.com
Jeffrey S. Ginsberg
jginsberg@kenyon.com
Sheila Mortazavi
smortazavi@kenyon.com
Merri Moken
mmoken@kenyon.com
David J. Kaplan
djkaplan@kenyon.com
KENYON & KENYON, LLP
One Broadway
New York, NY 10004-1007
Telephone: (212) 425-7200
Facsimile: (212) 425-5288

Of Counsel:

Robert Van Nest
rvannest@kvn.com
Brian L. Ferrall
bferrall@kvn.com
Leo L. Lam
llam@kvn.com
Ryan K. Wong
rwong@kvn.com
Daniel W. Gordon
dgordon@kvn.com
Chris J. Young
cyoung@kvn.com
Keker & Van Nest LLP
633 Battery Street
San Francisco, CA 94111-1809
Telephone: (415) 391-5400
Facsimile: (415) 397-7188

/s/ Sam Baxter

Sam Baxter

Texas State Bar No. 01938000
sbaxter@mckoolsmith.com
MCKOOL SMITH, P.C.
104 East Houston, Suite 300
Marshall, Texas 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099

John F. Garvish, II
Texas State Bar No. 24043681
jgarvish@mckoolsmith.com
MCKOOL SMITH, P.C.
300 West Sixth Street, Suite 1700
Austin, Texas 78701
Telephone: (512) 692-8700
Facsimile: (512) 692-8744

**ATTORNEYS FOR PLAINTIFF
C-CATION TECHNOLOGIES, LLC**

/s/ Brian L. Ferrall

Deron R. Dacus
Texas State Bar No. 00790553
ddacus@dacusfirm.com
821 ESE Loop 323, Suite 430
Tyler, TX 75701
Telephone: (903) 705-1117
Facsimile: (903) 581-2543

**ATTORNEYS FOR DEFENDANTS
COMCAST CABLE
COMMUNICATIONS, LLC, AND
COMCAST OF HOUSTON, LLC**

Of Counsel:

Thomas L. Duston
Kevin D. Hogg
John R. Labbe
Sarah J. Kalemeris
MARSHALL, GERSTEIN & BORUN LLP
6300 Willis Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300
tduston@marshallip.com
khogg@marshallip.com
jlabbe@marshallip.com
skalemeris@marshallip.com

Michael L. Brody
Jonathan E. Retsky
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, Illinois 60602
(312) 558-5600
mbrody@winston.com
jretsky@winston.com

Krishnan Padmanabhan
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166
(212) 294-6700
kpadmanabhan@winston.com

/s/ Thomas L. Duston
Michael E Jones
SBN: 10929400
Allen F. Gardner
SBN: 2403679
POTTER MINTON
110 N. College
Tyler, Texas 75702
(903) 597-8311
mikejones@potterminton.com
allengardner@potterminton.com

**ATTORNEYS FOR DEFENDANTS
CHARTER COMMUNICATIONS, INC.**

/s/ Mitchell D. Lukin
BAKER BOTTS L.L.P.
Mitchell D. Lukin
Lead Attorney
State of Texas Bar No. 12678750
Robinson Vu
State of Texas Bar No. 24047046
One Shell Plaza
910 Louisiana
Houston, Texas 77002
Telephone: 713-229-1733
Facsimile: 713-229-7733
mitch.lukin@bakerbotts.com
robinson.vu@bakerbotts.com

Michael C. Smith
Texas State Bar No. 18650410
Siebman, Burg, Phillips & Smith, LLP
113 East Austin
Marshall, Texas 75670
Telephone: (903) 938-8900
Facsimile: (972) 767-4620
E-mail: michaelsmith@siebman.com

**ATTORNEYS FOR DEFENDANTS
CABLE ONE, INC. AND CEQUEL
COMMUNICATIONS, LLC DBA
SUDDENLINK COMMUNICATIONS**

CERTIFICATE OF SERVICE

I, hereby certify that a copy of the foregoing Stipulation of Dismissal was electronically filed in compliance with Local Rule CV-5(a) and served upon all counsel of record on January 21, 2014.

/s/ Sam Baxter_____

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.