

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

**BLITZSAFE TEXAS, LLC,**

**Plaintiff,**

**v.**

**TOYOTA MOTOR CORPORATION;  
TOYOTA MOTOR SALES, U.S.A., INC.;  
TOYOTA MOTOR MANUFACTURING,  
TEXAS, INC.; TOYOTA MOTOR  
MANUFACTURING, KENTUCKY,  
INC.; and TOYOTA MOTOR  
MANUFACTURING, MISSISSIPPI,  
INC.,**

**Defendants.**

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**Case No. 2:15-CV-1277-JRG-RSP**

**CONSOLIDATED INTO**

**No. 2:15-CV-1274-JRG-RSP**

**JURY TRIAL DEMANDED**

**AGREED MOTION TO DISMISS WITH PREJUDICE**

Pursuant to the Federal Rules of Civil Procedure, Plaintiff Blitzsafe Texas, LLC (“Blitzsafe”) and Defendants Toyota Motor Corporation, Toyota Motor Sales, U.S.A., Inc., Toyota Motor Manufacturing, Texas, Inc., Toyota Motor Manufacturing, Kentucky, Inc., and Toyota Motor Manufacturing, Mississippi, Inc. (collectively referred herein as “Toyota”), represented by their respective attorneys, hereby stipulate and agree to as follows:

1. The Complaint filed by Blitzsafe against Toyota in the above-captioned case, including all claims and causes of action asserted by Plaintiff Blitzsafe against Toyota, are dismissed with prejudice to the Plaintiff re-filing same and without costs.
2. All Counterclaims filed by Toyota against Plaintiff Blitzsafe are dismissed with prejudice to re-filing same and without costs.

3. Each of the parties to this Agreed Motion is to bear its own costs and fees, including attorney's fees.

So agreed and stipulated.

A proposed order is attached as Exhibit A.

Respectfully submitted,

Dated: February 17, 2017

**BROWN RUDNICK LLP**

/s/ Alfred R. Fabricant  
Alfred R. Fabricant  
Texas Bar No. 2219392  
Email: afabricant@brownrudnick.com  
Lawrence C. Drucker  
Email: ldrucker@brownrudnick.com  
Texas Bar No. 2303089  
Peter Lambrianakos  
Texas Bar No. 2894392  
Email: plambrianakos@brownrudnick.com  
Alessandra Carcaterra Messing  
Texas Bar No. 5040019  
Email: amessing@brownrudnick.com  
**BROWN RUDNICK LLP**  
7 Times Square  
New York, NY 10036  
Telephone: (212) 209-4800

Samuel F. Baxter  
Texas State Bar No. 01938000  
sbaxter@mckoolsmith.com  
Jennifer L. Truelove  
Texas State Bar No. 24012906  
jtruelove@mckoolsmith.com  
**MCKOOL SMITH, P.C.**  
104 E. Houston Street, Suite 300  
Marshall, Texas 75670  
Telephone: (903) 923-9000  
Facsimile: (903) 923-9099

**ATTORNEYS FOR PLAINTIFF  
BLITZSAFE TEXAS, LLC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document was filed electronically with the CM/ECF system per LR5.1, and that all interested parties are being served with a true and correct copy of these documents via the CM/ECF system on February 17, 2017.

/s/ Alfred R. Fabricant