

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

PLECTRUM LLC,

Plaintiff,

v.

ORACLE CORPORATION and  
ORACLE AMERICA, INC.,

Defendant.

CASE NO. 4:17-CV-00141

**JURY TRIAL DEMANDED**

**[PROPOSED] ORDER DISMISSING FIRST AMENDED COMPLAINT**

Pending before the Court is Oracle Corporation and Oracle America, Inc.'s Motion to Dismiss The First Amended Complaint For Failure to State a Claim. The Court, having considered the Motion, the parties' briefing, and the entire file in this matter is of the opinion that Oracle Corporation and Oracle America, Inc.'s Motion to Dismiss should be GRANTED.

It is therefore ORDERED that Defendant Oracle Corporation and Oracle America, Inc.'s Motion to Dismiss The First Amended Complaint for Failure to State a Claim is GRANTED and each of the counts asserted against Oracle Corporation and Oracle America, Inc. in plaintiff's first amended complaint are hereby dismissed.

IT IS ORDERED.