

United States District Court,
E.D. Texas, Marshall Division.

FENNER INVESTMENTS, LTD,
Plaintiff.

v.

**JUNIPER NETWORKS INC., UTStarcom, Inc., Nokia, Inc., Nortel Networks, Inc, Lucent
Technology, Inc., CICSO Systems, Inc., Ericsson, Inc., Ericsson AB, Telefonaktiebolaget, LM,
Ericsson and Alcatel USA, Inc,**
Defendants.

Civil Action No. 2:05cv5

Feb. 15, 2006.

Robert Martin Chiaviello, Jr, Brett Christopher Govett, Karl Glenn Dial, Fulbright & Jaworski, Michael Joseph Fogarty, III, Slater & Matsil, L.L.P., Dallas, TX, D. Dudley Oldham, Stephen C. Dillard, Fulbright & Jaworski, Houston, TX, Deborah J. Race, Otis W. Carroll, Jr, Ireland Carroll & Kelley, Tyler, TX, Thomas John Ward, Jr, Ward & Smith Law Firm, Longview, TX, Franklin Jones, Jr, Jones & Jones, Marshall, TX, Ivan M. Poullaos, Timothy O'Connor, Winston & Strawn, Chicago, IL, for Plaintiff.

Babak Redjaian, David Craig McPhie, Irell & Manella, Newport Beach, CA, Jonathan S. Kagan, Morgan Chu, Irell & Manella, Los Angeles, CA, Harry Lee Gillam, Jr, Melissa Richards Smith, Gillam & Smith, LLP, Marshall, TX, Jennifer Parker Ainsworth, Wilson Sheehy Knowles Robertson & Cornelius PC, Tyler, TX, for Defendants.

ORDER

LEONARD DAVIS, District Judge.

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. s. 636. The Report of the Magistrate Judge which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The parties have made no objections to the Report and Recommendation.

The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge (Doc. 232) as the findings and conclusions of this Court.

Accordingly, all of Fenner's claims that Ericsson Inc., Ericsson AB, and Telefonaktiebolaget LM Ericsson's PDSN and Home Agent Products infringe U.S. Patent No. 6,819,670 are hereby **DISMISSED** without prejudice pursuant to the parties' Settlement Agreement and Release.

E.D.Tex.,2006.

Fenner Investments, Ltd. v. Juniper Networks Inc.

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