IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

EMG TECHNOLOGY, LLC,

Case No. 6:14-cv-00094-MHS (LEAD CASE)

Plaintiff,

CONSOLIDATED ACTION

V.

JURY TRIAL DEMANDED

AMICA MUTUAL INSURANCE COMPANY,

Defendant.

Case No. 6:14-cv-00095

EMG TECHNOLOGY, LLC,

Plaintiff,

V.

BRANCH BANKING AND TRUST COMPANY,

Defendant.

JURY TRIAL DEMANDED

STIPULATION FOR DISMISSAL

The Plaintiff, EMG Technology, LLC and Defendant, Branch Banking and Trust Company, pursuant to Rule 41(a)(1)(A)(ii), hereby move for an order dismissing all claims in this action WITH PREJUDICE.

July 15, 2014

By: /s/Charles Ainsworth

Charles Ainsworth State Bar No. 00783521 Robert Christopher Bunt State Bar No. 00787165 PARKER, BUNT & AINSWORTH, P.C. 100 E. Ferguson, Suite 1114 Tyler, TX 75702 903/531-3535 903/533-9687

E-mail: charley@pbatyler.com E-mail: rcbunt@pbatyler.com

Stanley M. Gibson (Cal. Bar No. 162329) Gregory S. Cordrey (Cal. Bar No. 190144) JEFFER MANGELS BUTLER AND MITCHELL, LLP

1900 Avenue of the Stars, Seventh Floor Los Angeles, CA 90067 Telephone: (310) 203-8080 Facsimile: (310) 203-0567 E-mail: smg@jmbm.com

E-mail: gxc@jmbm.com

ATTORNEYS FOR PLAINTIFF EMG TECHNOLOGY, LLC.

/s/ Robert Davis Tadlock with permission
Robert Davis Tadlock

Kilpatrick Townsend & Stockton LLP Two Embarcadero Center, 8th Floor

San Francisco, CA 94111

T: 415-576-0200 F: 415-576-0300

Email: rtadlock@kilpatricktownsend.com

Steven Gardner

Kilpatrick Townsend & Stockton LLP

1001 West Fourth Street

Winston-Salem, North Carolina 27101

T: 336-607-7300 F: 336-607-7500

Email: sgardner@kilpatricktownsend.com

ATTORNEYS FOR DEFENDANT BRANCH BANKING AND TRUST

COMPANY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3) on July 15, 2014.

/s/ Charley Ainsworth

Charley Ainsworth