

1 *[Counsel Listed on Signature Block]*

2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF CALIFORNIA
4 SAN JOSE DIVISION

5 ADAPTIX, INC.,)
6 Plaintiff,)
7) Case No.: 5:14-cv-01380-PSG

8 v.)
9) JURY TRIAL DEMANDED

10 BLACKBERRY LIMITED,)
11 BLACKBERRY CORPORATION, and)
12 AT&T MOBILITY LLC,)
13 Defendants.)

14 ADAPTIX, INC.,)
15 Plaintiff,)
16) Case No.: 5:14-cv-01386-PSG

17 v.)
18) JURY TRIAL DEMANDED

19 BLACKBERRY LIMITED,)
20 BLACKBERRY CORPORATION,)
21 T-MOBILE USA, INC.,)
22 MetroPCS COMMUNICATIONS, INC.,)
23 and MetroPCS WIRELESS, INC.,)
24 Defendants.)

25 ADAPTIX, INC.,)
26 Plaintiff,)
27) Case No.: 5:14-01387-PSG

28 v.)
JURY TRIAL DEMANDED

BLACKBERRY LIMITED,)
BLACKBERRY CORPORATION, and)
CELLCO PARTNERSHIP)
d/b/a/ VERIZON WIRELESS,)
Defendants.)

JOINT MOTION FOR DISMISSAL

Plaintiff Adaptix, Inc. (“Adaptix”) and Defendants BlackBerry Limited, BlackBerry Corporation (collectively, “BlackBerry”); AT&T Mobility LLC; Cellco Partnership *d/b/a* Verizon Wireless; T-Mobile USA, Inc. *f/k/a* MetroPCS Wireless, Inc.; and MetroPCS Communications, Inc. (all collectively, “Defendants”) hereby stipulate to the dismissal of the three above-captioned actions WITHOUT PREJUDICE pursuant to a written agreement signed and effective on October 15, 2014 between Adaptix, on the one hand, and BlackBerry, on the other hand, concerning the BlackBerry products at issue in the three above-captioned actions.

The parties ask that the Court enter the attendant proposed Order of Dismissal Without Prejudice, with each party to bear its own costs, expenses and attorneys’ fees associated with filing the dismissal.

For the avoidance of doubt, none of Adaptix’s patent infringement claims against any of AT&T Mobility LLC; Cellco Partnership *d/b/a* Verizon Wireless; T-Mobile USA, Inc. *f/k/a* MetroPCS Wireless, Inc., and MetroPCS Communications, Inc. in any actions before this or any other Court presently involving Adaptix other than the three above-referenced actions involving BlackBerry are dismissed in any way from those other actions involving Adaptix and not BlackBerry.

A proposed Order outlining the relief sought is attached.

Dated: October 24, 2014

Respectfully submitted,

By: /s/ Paul J. Hayes

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Attorneys for Plaintiff ADAPTIX, INC.

Dated: October 24, 2014

Respectfully submitted,

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Attorneys for Defendants

BlackBerry Limited

BlackBerry Corporation,

AT&T Mobility LLC

1 Dated: October 24, 2014

Respectfully submitted,

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9 *Attorneys for Defendants*

10 *T-Mobile USA, Inc. f/k/a MetroPCS Wireless, Inc. and*

11 *MetroPCS Communications, Inc.*

12 Dated: October 24, 2014

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ATTESTATION OF CONCURRENCE IN FILING

Pursuant to Civil Local Rule 5-1(i)(3), Kevin Gannon attests that concurrence in the filing of this document has been obtained from each of the Signatories listed above.

/s/ Kevin Gannon
Kevin Gannon