

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THE NEW YORK TIMES COMPANY,

Plaintiff,

v.

LODSYS, LLC,

Defendant.

Civil Action No. 11-cv-4004

The Hon. Charles R. Norgle, Sr.

JURY TRIAL DEMANDED

DEFENDANT’S MOTION TO DISMISS

Defendant Lodsys, LLC respectfully moves this Court for an order dismissing Plaintiff New York Times Company’s Complaint For Declaratory Judgment [dkt. No. 1] (the “Complaint”). In support of its motion, Defendant states that for the reasons set forth in Defendant’s accompanying memorandum of law, which is incorporated here by reference, that Plaintiff’s Complaint should be dismissed.

Wherefore, Defendant respectfully requests that the Court grant its motion and dismiss the Complaint.

Dated: July 5, 2011.

Respectfully Submitted,

/s/ Michael La Porte

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CERTIFICATE OF SERVICE

The undersigned attorney of record certifies that service of the foregoing document has been made on July 5, 2011, via the Court's CM/ECF system based on its electronic filing, under Local Rules 5.5(a)(3) and General Order 09-014 Section X.E. In this manner, service has been made on all attorneys of record in this case.

/s/ Michael La Porte
Michael R La Porte