

FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO

1 LAURENCE F. PULGRAM (CA State Bar No. 115163) (*pro hac vice*)
lpulgram@fenwick.com
2 CLIFFORD C. WEBB (CA State Bar No. 260885) (*pro hac vice*)
cwebb@fenwick.com
3 JENNIFER J. JOHNSON (CA State Bar No. 252897) (*pro hac vice*)
jjjohnson@fenwick.com
4 FENWICK & WEST LLP
5 555 California Street, 12th Floor
San Francisco, California 94104
6 Telephone: (415) 875-2300
Facsimile: (415) 281-1350

7 KURT OPSAHL (CA State Bar No. 191303) (*pro hac vice*)
kurt@eff.org
8 CORYNNE MCSHERRY (CA State Bar No. 221504) (*pro hac vice*)
corynne@eff.org
9 ELECTRONIC FRONTIER FOUNDATION
454 Shotwell Street
10 San Francisco, California 94110
Telephone: (415) 436-9333
11 Facsimile: (415) 436-9993

12 CHAD BOWERS (NV State Bar No. 7283)
bowers@lawyer.com
13 CHAD A. BOWERS, LTD
3202 West Charleston Boulevard
14 Las Vegas, Nevada 89102
Telephone: (702) 457-1001
15 Attorneys for Defendant and Counterclaimant
16 DEMOCRATIC UNDERGROUND, LLC, and
Defendant DAVID ALLEN

17 **UNITED STATES DISTRICT COURT**
18 **FOR THE DISTRICT OF NEVADA**

19 RIGHTHAVEN LLC, a Nevada limited liability company,
20 Plaintiff,
21 v.
22 DEMOCRATIC UNDERGROUND, LLC, a District of
Columbia limited-liability company; and DAVID ALLEN,
an individual,
23 Defendants.

24 DEMOCRATIC UNDERGROUND, LLC, a District of
Columbia limited-liability company,
25 Counterclaimant,
26 v.
27 RIGHTHAVEN LLC, a Nevada limited liability company,
and STEPHENS MEDIA LLC, a Nevada limited-liability
28 company,
Counterdefendants.

Case No. 2:10-cv-01356-RLH (GWF)

**[PROPOSED] ORDER ENTERING
FINAL JUDGMENT AGAINST
PLAINTIFF RIGHTHAVEN
UNDER FED. R. CIV. PROC. 54(B)**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Defendant Democratic Underground, LLC’s Motion for Entry of Judgment Against Righthaven Under Fed. R. Civ. Proc. 54(b) is GRANTED. The Court finds that there is no just reason for delay, that all claims as to Righthaven have been decided, that Righthaven’s claims are severable from Democratic Underground’s counterclaim against Stephens Media LLC, and that entry of final judgment against Righthaven is in the interest of efficient judicial administration.

The Court further finds that its June 14, 2011 Order dismissing Righthaven for lack of standing was a dismissal on the merits, and therefore Righthaven is dismissed with prejudice. Final judgment in favor of Defendant Democratic Underground and against all claims and causes of action of Plaintiff Righthaven LLC in this action shall be, and hereby is, entered accordingly.

IT IS SO ORDERED.

Dated: _____

The Honorable ROGER L. HUNT
United States District Judge

FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO