United States District Court,
E.D. Virginia, Norfolk Division.

LEVEL 3 COMMUNICATIONS, LLC,
Plaintiff.
v.
LIMELIGHT NETWORKS, INC,
Defendant.

Civil Action No. 2:07cv589 (MSD-FBS)

Jan. 5, 2009.

Michael Katchmark, Willcox & Savage, P.C., Norfolk, VA, Charles B. Molster, III, Winston & Strawn LLP, Washington D.C., Peter C. McCabe, Peggy M. Balesteri, Winston & Strawn LLP, Chicago, IL, for Plaintiff.

Stephen Noona, Kaufman & Canoles, P.C., Norfolk, VA, Robert G. Krupka, Alexander F. MacKinnon, Guy Ruttenberg, Nick G. Saros, Charanjit Brahma, Karen M. Robinson, Kirkland & Ellis LLP, for Defendant.

STIPULATED JUDGMENT OF NON-INFRINGEMENT OF U.S. PATENT NO. 7,054,935

MARK S. DAVIS**, District Judge.**

Plaintiff Level 3 Communications, LLC ("Level 3"), by and through counsel, and Defendant Limelight Networks, Inc., by and through counsel, hereby stipulate to entry of a judgment of non-infringement by Limelight of U.S. Patent No. 7,054,935 ("the "5 patent"), based on the Court's order of December 10, 2008 construing certain disputed claim terms in the "5 patent-in particular, the Court's construction of "handled." The stipulated judgment of non-infringement includes only Count 1 of the Complaint. This stipulated judgment is made subject to Level 3's reservation of all of its rights to appeal this stipulated judgment, including but not limited to appeal of the claim constructions, with respect to the "5 patent.

In connection herewith, each side will bear its own costs, fees and expenses.

SO ORDERED.

E.D.Va.,2009.
Level 3 Communications, LLC v. Limelight Networks, Inc.

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