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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

WPENGINE, INC., a Delaware corporation,

Plaintiff,

vs.

AUTOMATTIC INC., a Delaware  
corporation; and MATTHEW CHARLES  
MULLENWEG, an individual,

Defendants.

Case No. 3:24-cv-06917-AMO

**[PROPOSED] ORDER RE:  
DEFENDANTS AUTOMATTIC INC. AND  
MATTHEW CHARLES MULLENWEG'S  
MOTION TO DISMISS**

Judge: Hon. Araceli Martinez-Olguín  
Courtroom: 10  
Hearing Date: March 6, 2025  
Hearing Time: 2:00 p.m.

1 Defendants Automattic Inc. and Matthew Charles Mullenweg have filed a Motion to  
2 Dismiss Causes of Action 1-6 and 9-11 of Plaintiff WPE's Complaint filed in this case pursuant to  
3 Fed. R. Civ. Proc. 12.

4 Having fully considered the papers, the arguments of counsel, and good cause appearing  
5 therefore:

6 **IT IS HEREBY ORDERED** that Defendants' Motion to Dismiss is **GRANTED**. Causes  
7 of Action 1-6 and 9-11 of the Complaint are hereby dismissed.

8 **SO ORDERED.**

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12 Dated: \_\_\_\_\_, 2024

\_\_\_\_\_  
Honorable Araceli Martínez-Olguín  
United States District Judge  
Northern District of California