**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF DELAWARE**

| | |
|---|---|
| SAFETY BRAKING CORPORATION, MAGNETAR TECHNOLOGIES CORP., and G&T CONVEYOR CO.,<br><br>Plaintiffs,<br><br>v.<br><br>SIX FLAGS, INC., SIX FLAGS THEME PARKS INC., SF PARTNERSHIP, TIERCO MARYLAND, INC., BUSCH ENTERTAINMENT CORP., CEDAR FAIR LP, PARAMOUNT PARKS, INC., NBC UNIVERSAL, INC., UNIVERSAL STUDIOS, INC., and BLACKSTONE GROUP L.P.,<br><br>Defendants. | Civil Action No. 07-127-*** |

**STIPULATION OF CONSENT TO FILE FIRST AMENDED COMPLAINT AND DISMISSAL OF CERTAIN PARTIES**

The parties hereby stipulate and agree as follows:

1. Pursuant to Fed. R. Civ. P. 15(a), the parties consent to the filing of plaintiffs' First Amended Complaint, which adds certain new parties, and removes certain original parties. For purposes of this litigation only, the newly added defendants will not contest personal jurisdiction, venue, or sufficiency of service of process.

2. Pursuant to Fed. R. Civ. P. 41(a)(1), plaintiffs hereby dismiss defendants Six Flags, Inc., SF Partnership, NBC Universal, Inc., Universal Studios, Inc., and Blackstone Group L.P., without prejudice to amend their complaint to re-add one or more of said defendants in the event that it is discovered, during the pendency of this case, that both of the following conditions exist: (a) such defendant is legally responsible and liable for one or more acts of infringement alleged in the Complaint and further specified in plaintiffs' written discovery responses, and (b) that no defendant named in the First

Amended Complaint, nor any other person or entity otherwise agreed by the parties to be added as a defendant, has said responsibility and liability for said act or acts of infringement in all other regards, the dismissal of defendants Six Flags, Inc., SF Partnership, NBC Universal, Inc., Universal Studios, Inc., and Blackstone Group L.P. is made with prejudice.

***/s/ Francis DiGiovanni***
Francis DiGiovanni (#3189)
Geoffrey A. Zelley (#4939)
CONNOLLY BOVE LODGE & HUTZ LLP
The Nemours Building
1007 North Orange Street
P.O. Box 2207
Wilmington, DE 19899
(302) 658-9141
fdigiovanni@cblh.com

Of counsel:
Scott R. Miller
CONNOLLY BOVE LODGE & HUTZ LLP
355 S. Grand Ave.
Suite 3150
Los Angeles, CA 90071
(213) 787-2500
smiller@cblh.com

*Attorneys for Plaintiffs*

***/s/ Jack B. Blumenfeld***
Jack B. Blumenfeld (#1014)
Rodger D. Smith II (#3778)
Morris, Nichols, Arsht & Tunnell, LLP
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
rsmith@mnat.com

Of counsel:
Amr O. Aly
WilmerHale
399 Park Avenue
New York, NY 10022
(212) 230-8800
amr.aly@wilmerhale.com

*Attorneys for Defendants Six Flags, Inc., Six Flags Theme Parks Inc., SF Partnership, Tierco Maryland, Inc., Cedar Fair LP, Paramount Parks, Inc., NBC Universal, Inc., Universal Studios, Inc., and Blackstone Group L.P.*

***/s/ Richard L. Horwitz***
Richard L. Horwitz (#2246)
David E. Moore (#3983)
Potter Anderson & Corroon LLP
Hercules Plaza, 6th Floor
1313 North Market Street
Wilmington, DE 19801
(302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com

Of counsel:
Paul V. Storm
Terrell R. Miller
Storm LLP
Bank of America Plaza
901 Main Street, Suite 7100
Dallas, TX 75202
paulstorm@alliplaw.com
terrellmiller@alliplaw.com

*Attorneys for Defendant Busch Entertainment Corp.*