

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

TILLOTSON CORPORATION,

Plaintiff,

v.

Civil Action No.
4:07-CV-193 (RLV)

SUPERMAX CORPORATION
BHD. ET AL.,

Defendants.

MOTION FOR DISMISSAL WITHOUT PREJUDICE

The plaintiff, Tillotson Corporation, and Defendants Shamrock Manufacturing Company, Inc., PT Haloni Jane, and PT Shamrock Manufacturing Corporation (collectively, the “Shamrock Defendants”), hereby move, pursuant to Fed. R. Civ. P. 41(a)(2), for an order dismissing all claims in this action against the Shamrock Defendants WITHOUT PREJUDICE, subject to the terms of a confidential agreement reached between the parties, with each party to bear its own costs, expenses and attorneys’ fees.

Respectfully submitted, June 14, 2010,

Attorneys for Tillotson,

/s/ Christopher J. Chan

Ann G. Fort (GA Bar No. 269995)
ann.fort@sutherland.com
Christopher J. Chan (GA Bar No. 120498)
christopher.chan@sutherland.com
SUTHERLAND ASBILL &
BRENNAN LLP
999 Peachtree Street, NE
Atlanta, GA 30309-3996
Tel: (404) 853-8049
Fax: (404) 853-8806

Daniel C. Winston (*pro hac vice*)
dwinston@choate.com
G. Mark Edgerton (*pro hac vice*)
medgarton@choate.com
Matthew S. Barrett (*pro hac vice*)
mbarrett@choate.com
CHOATE, HALL & STEWART LLP
Two International Place
Boston, MA 02110
Tel: (617) 248-5000
Fax: (617) 248-4000

Attorneys for Shamrock Defendants,

/s/ Jane Thorpe

Jane Thorpe (Ga; Bar No. 279550)
jane.thorpe@alston.com
ALSTON & BIRD LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309-9424
Tel: (404) 881-7000
Fax: (404) 887-7777

Christian Chadd Taylor (*pro hac vice*
application to be submitted)
christian.taylor@kirkland.com
Sarah Forney (*pro hac vice*)
sarah.forney@kirkland.com
Nickolas Bohl (*pro hac vice* application
to be submitted)
nickolas.bohl@kirkland.com
KIRKLAND & ELLIS LLP
950 Page Mill Road
Palo Alto, CA 94304
Tel: (650) 859-7000
Fax: (650) 859-7500

CERTIFICATE OF SERVICE

I certify that the foregoing MOTION FOR DISMISSAL WITHOUT PREJUDICE was filed electronically on June 14, 2010, using the CM/ECF system in the United States District Court for the Northern District of Georgia, with notice of the same to be electronically mailed by the Court to the following attorneys of record:

Sarah L. Forney
Kirkland & Ellis LLP
555 California Street
San Francisco, CA 94101

Joseph Duane Wargo
Sarah-Nell Walsh
Wargo & French LLP
1170 Peachtree Street, NE
Suite 2020
Atlanta, GA 30309

Scott M. Daniels
Westerman, Hattori, Daniels & Adrian
LLP
Suite 700
1250 Connecticut Avenue, NW
Washington, DC 20036

Peter C. Canfield
Christopher L. Meazell
Michael G. Kovaka
Dow Lohnes PLLC
Suite 1800
Six Concourse Parkway
Atlanta, GA 30328-6117

Perry Clark
Law Offices of Perry R. Clark
3457 Cowper St.
Palo Alto, CA 94306

Jane Thorpe
ALSTON & BIRD LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309-9424

/s/ Christopher J. Chan
Christopher J. Chan

CERTIFICATE OF COMPLIANCE

Pursuant to LR 7.1D, the undersigned counsel hereby certifies that the foregoing MOTION FOR DISMISSAL WITHOUT PREJUDICE complies with the font and point selections approved by the Court in LR 5.1B. The foregoing Report was prepared on a computer using the Times New Roman font (14 point).

/s/ Christopher J. Chan
Christopher J. Chan