

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PROMETHEAN INSULATION	§	
TECHNOLOGY LLC,	§	
	§	
Plaintiff,	§	2:13-cv-01113-JRG-RSP
	§	LEAD CASE
v.	§	
	§	
SEALED AIR CORPORATION, ET AL.,	§	JURY TRIAL DEMANDED
	§	
Defendants.	§	
	§	

INNOVATIVE INSULATION INC.	§	2:13-cv-01122
TVM BUILDING PRODUCTS INC.	§	2:13-cv-01124
ENERGY EFFICIENT SOLUTIONS LLC	§	2:13-cv-01127
SOPREMA, INC. (CANADA), ET AL.	§	2:14-cv-00004

**STIPULATION TO DISMISS HOME DEPOT U.S.A. INC.
WITHOUT PREJUDICE**

Plaintiff Promethean Insulation Technology, LLC (“Promethean”) and Defendant Home Depot U.S.A. Inc., pursuant to Fed. R. Civ. P. 41, hereby stipulate as follows:

Promethean agrees to dismiss without prejudice its claims against Home Depot U.S.A. Inc. as set forth in the Complaint (C.A. No. 13-cv-1113, Docket No. 1) pursuant to Fed. R. Civ. P. 41;

Home Depot U.S.A. Inc. agrees to dismiss without prejudice its counterclaims against Promethean in its First Amended Answer and Counterclaims (C.A. No. 13-cv-1113, Docket No. 94) pursuant to Fed. R. Civ. P. 41;

Each party will bear its own costs and fees.

Date: April 15, 2015

Respectfully submitted,

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***Attorneys for Defendant/Counter-Plaintiff
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CERTIFICATE OF SERVICE

I hereby certify that the all counsel of record who are deemed to have consented to electronic service are being served on April 15, 2015 with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Donna E. Ward

Litigation Paralegal

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Plaintiff,	§	
	§	2:13-cv-01113-JRG-RSP
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SEALED AIR CORPORATION, ET AL.,	§	JURY TRIAL DEMANDED
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INNOVATIVE INSULATION INC.	§	2:13-cv-01122
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SOPREMA, INC. (CANADA), ET AL.	§	2:14-cv-00004

**ORDER REGARDING STIPULATION TO DISMISS
HOME DEPOT U.S.A. INC. WITHOUT PREJUDICE**

The Court having considered Plaintiff Promethean Insulation Technology, LLC (“Promethean”) and Defendant Home Depot U.S.A. Inc.’s Stipulation to Dismiss Without Prejudice hereby finds that the requested relief is proper and hereby ORDERS that:

Promethean’s claims against Home Depot U.S.A. Inc. as set forth in the Complaint (C.A. No. 13-cv-1113, Docket No. 1) are hereby dismissed without prejudice and Home Depot U.S.A. Inc.’s counterclaims against Promethean in its First Amended Answer and Counterclaims (C.A. No. 13-cv-1113, Docket No. 94) are dismissed without prejudice.

Each party will bear its own costs and fees.