

United States District Court,  
E.D. Texas, Marshall Division.

**FENNER INVESTMENTS, LTD,**  
Plaintiff.

v.

**JUNIPER NETWORKS INC., Utstarcom, Inc., Nokia, Inc., Nortel Networks, Inc, Lucent Technology, Inc., Cicso Systems, Inc., Ericsson, Inc., Ericsson AB, Telefonaktiebolaget, LM, Ericsson and Alcatel USA, Inc,**  
Defendant.

Civil Action No. 2:05cv5

**Jan. 27, 2006.**

Robert Martin Chiaviello, Jr., Brett Christopher Govett, Karl Glenn Dial, Fulbright & Jaworski, Michael Joseph Fogarty, III, Slater & Matsil, L.L.P., Dallas, TX, D. Dudley Oldham, Stephen C. Dillard, Fulbright & Jaworski, Houston, TX, Deborah J. Race, Otis W. Carroll, Jr., Ireland Carroll & Kelley, Tyler, TX, Franklin Jones, Jr., Jones & Jones, Marshall, TX, Ivan M. Poullaos, Timothy O'Connor, Winston & Strawn, Chicago, IL, Thomas John Ward, Jr., Ward & Smith Law Firm, Longview, TX, for Plaintiff.

Babak Redjaian, David Craig McPhie, Irell & Manella, Newport Beach, CA, Harry Lee Gillam, Jr., Melissa Richards Smith, Gillam & Smith, LLP, Marshall, TX, Jennifer Parker Ainsworth, Wilson Sheehy Knowles Robertson & Cornelius PC, Michael Edwin Jones, Potter Minton PC, Tyler, TX, Jonathan S. Kagan, Morgan Chu, Irell & Manella, Los Angeles, CA, Scott F. Partridge, Baker Botts LLP, Houston, TX, Douglas Mark Kuehl, Baker Botts, Dallas, TX, Elizabeth L. Derieux, Sidney Calvin Capshaw, III, Capshaw Derieux, LLP, Longview, TX, Gerald J. Flattmann, John M. Desmarais, Joseph Allen Loy, Michael Stadnick, Kirkland & Ellis, LLP, New York, NY, Ivan M. Poullaos, Timothy O'Connor, Winston & Strawn, Chicago, IL, for Defendants.

***REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE***

**JOHN D. LOVE, United States Magistrate Judge.**

Fenner Investments, Ltd. ("Fenner") and Ericsson Inc., Ericsson AB, and Telefonaktiebolaget LM Ericsson (collectively "Ericsson") executed a Settlement Agreement and Release resolving certain claims related to the '670 patent. Accordingly, the Court RECOMMENDS that, in accordance with the Settlement Agreement and Release, all of Fenner's claims relating to Ericsson's PDSN and Home Agent Products infringing the '670 Patent and all of Ericsson's counterclaims relating to the '670 Patent be dismissed without prejudice. The Court also RECOMMENDS that each party bear its own fees and costs in connection with this action.

**So ORDERED.**

E.D.Tex.,2006.

Fenner Investments, Ltd. v. Juniper Networks Inc.

Produced by Sans Paper, LLC.