

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

SOURCE, INC.,

Plaintiff,

vs.

CENDANT CORPORATION,

Defendant.

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Civil Action No. 2-05CV-347 TJW

Jury Demanded

**The Honorable T. John Ward
United States District Judge**

JOINT MOTION TO DISMISS WITHOUT PREJUDICE

Plaintiff Source, Inc. and Defendant Cendant Corporation jointly file this Motion to Dismiss Without Prejudice. The parties agree that all costs of this litigation shall be borne by the parties incurring them.

DATED: August 8, 2006

Respectfully submitted,

SOURCE, INC.,
By its attorneys,

/s/ Jerry W. Gunn
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this pleading was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed.R.Civ.P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by mail, on this the 8th day of August, 2006.

/s/ Henry Pogorzelski