

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

DATA NETWORK STORAGE CORPORATION,
Plaintiff-Appellant,

v.

DELL INC.,
Defendant,

AND

NETWORK APPLIANCE, INC.,
Defendant-Appellee.

2011-1141

Appeal from the United States District Court for the Northern District of Texas in case no. 08-CV-0294, Judge David C. Godbey.

ON MOTION

O R D E R

Data Network Storage Corporation moves without opposition to dismiss Dell Inc. from this appeal.

Because Dell was a party in the trial court, we keep it in the caption in this appeal but identify it only as a defendant in the caption.

Accordingly,

IT IS ORDERED THAT:

(1) The motion is granted. The revised official caption is reflected above.

(2) Each side shall bear its own costs.

FOR THE COURT

AUG 04 2011

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Anthony J. Dain, Esq.
Roger J. Fulghum, Esq.
Edward R. Reines, Esq.

s19

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

AUG 04 2011

JAN HORBALY
CLERK