

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2010-1228

IMAGECUBE LLC,

Plaintiff-Appellant,

v.

THE BOEING COMPANY,

Defendant-Appellee,

and

MTS SYSTEMS CORPORATION  
and AEROMET CORPORATION,

Defendants.

Appeal from the United States District Court for the Northern District of Illinois  
in case no. 04-CV-7587, Judge Robert M. Dow, Jr.

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2010-1265

IMAGECUBE LLC,

Plaintiff-Appellant,

v.

THE BOEING COMPANY,

Defendant-Appellee,

and

MTS SYSTEMS CORPORATION  
and AEROMET CORPORATION,

Defendants.

Appeal from the United States District Court for the Northern District of Illinois  
in case no. 04-CV-7587, Judge Robert M. Dow, Jr.

ON MOTION

ORDER

Upon consideration of ImageCube LLC's motion to voluntarily dismiss appeal  
2010-1228,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs in 2010-1228.
- (3) The revised official caption in 2010-1265 is reflected above.

FOR THE COURT

APR 19 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Joseph N. Hosteny, Esq.  
Allen E. Hoover, Esq.

ISSUED AS A MANDATE (as to 2010-1228 only): APR 19 2010

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

APR 19 2010

JAN HORBALY  
CLERK