

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

REDBOX AUTOMATED RETAIL, LLC	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 09-592-RBK
vs.	)	
	)	
TWENTIETH CENTURY FOX HOME	)	
ENTERTAINMENT, LLC	)	
	)	
Defendant.	)	
	)	

**[PROPOSED] ORDER GRANTING TWENTIETH CENTURY FOX HOME ENTERTAINMENT LLC’S MOTION TO DISMISS REDBOX’S AMENDED COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(B)(6)**

AND NOW, on this \_\_\_\_ day of \_\_\_\_\_, 2010, upon consideration of Twentieth Century Fox Home Entertainment LLC’s Motion to Dismiss Redbox’s Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) (the “Motion”), the briefs, supporting papers and other arguments submitted by the parties, and the record in this case, it is hereby ORDERED that the Motion is GRANTED, and Plaintiff’s Amended Complaint is hereby DISMISSED with prejudice for failure to state a claim upon which relief can be granted.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Robert B. Kugler

Dated: December 21, 2009

/s/ Beth Moskow-Schnoll

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