

Eric G. Maxfield, 8668  
Karina Sargsian, 14775  
egmaxfield@hollandhart.com  
ksargsian@hollandhart.com  
HOLLAND & HART LLP  
222 S. Main Street, Suite 2200  
Salt Lake City, Utah 84101  
Telephone: (801) 799-5800  
Facsimile: (801) 799-5700

Attorneys for Defendants,  
Luke Heinecke and Linear Magnitude, Inc.

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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BAD APPLE L.L.C., A UTAH LIMITED  
LIABILITY COMPANY,

Plaintiff,

vs.

LUKE HEINECKE, AN INDIVIDUAL;  
DAVID GIANVITO, AN INDIVIDUAL; AND  
LINEAR MAGNITUDE, INC., A UTAH  
CORPORATION,

Defendants.

**NOTICE OF SETTLEMENT**

Case No. 2:17-cv-00076-RJS

Judge Robert J. Shelby

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Plaintiff Bad Apple L.L.C. and Defendants Luke Heinecke and Linear Mognitude, Inc. hereby submit this Notice of Settlement to advise the Court that the Plaintiff , Bad Apple L.L.C. and Defendants have agreed to resolve the claims pending in this litigation. The Plaintiff and Defendants are in the process of finalizing their settlement. Once that is completed, the parties anticipate that they will submit a Stipulated Motion Dismissal for the Court's consideration.

Should the Court wish to vacate the scheduling conference set on today's calendar at 11:00 a.m., the Parties would have no objection.

DATED this 1st day of February, 2017.

/s/ Steven L. Rinehart  
STEVEN L. RINEHART  
*Attorney for Plaintiff Bad Apple L.L.C.*

HOLLAND & HART LLP

/s/ Eric G. Maxfield  
Eric G. Maxfield  
Karina Sargsian  
*Attorneys for Defendants,  
Luke Heinecke and Linear Magnitude, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 1st day of February, 2017, a true and correct copy of the foregoing **NOTICE OF SETTLEMENT** was served on all counsel of record as follows:

<input type="checkbox"/>	U.S. Mail, postage prepaid	Steven L. Rinehart
<input type="checkbox"/>	Hand Delivery	110 S. Regent Street, Suite 200
<input type="checkbox"/>	Facsimile	Salt Lake City, UT 84111
<input type="checkbox"/>	Overnight courier	Telephone: (888) 941-9933
<input type="checkbox"/>	E-Mail	Facsimile: (801) 665-1292
<input checked="" type="checkbox"/>	CM/ECF	Email: <a href="mailto:steve@utahpatentattorneys.com">steve@utahpatentattorneys.com</a> <i>Attorneys for Plaintiff</i>

/s/ Eric G. Maxfield