

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

Blackboard Inc.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 9:06 CV 155
)	
Desire2Learn Inc.,)	
)	
Defendant.)	
)	
)	

**[PROPOSED] ORDER GRANTING DEFENDANT’S RENEWED MOTION TO STAY
PROCEEDINGS PENDING REEXAMINATION OF
U.S. PATENT NO. 6,988,138 IN THE PTO**

Pending before this Court is Defendant, Desire2Learn’s Renewed Motion to Stay Proceeding Pending Reexamination of U.S. Patent No. 6,988,138. Having considered the Motion, the Court finds that it is well-taken. Therefore, it is hereby

ORDERED that Desire2Learn’s Renewed Motion to Stay Proceeding Pending Reexamination of U.S. Patent No. 6,988,138 is **GRANTED**.

So **ORDERED** and **SIGNED** this _____ day of _____, 2007.

Ron Clark, United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of **Desire2Learn's Proposed Order** for Document [58] **Desire2Learn's Combined Motion and Memorandum of Law In Support of Defendant's Renewed Motion to Stay Proceedings Pending Reexamination of U.S. Patent No. 6,988,138 In the U.S. Patent and Trademark Office** was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service.

Dated: **March 8, 2007**

/s/ Jonathan R. Spivey
Jonathan R. Spivey