

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

MULTILAYER STRETCH CLING FILM )  
 HOLDINGS, INC., )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 BERRY PLASTICS CORPORATION, )  
 )  
 Defendant. )

Civil No. 2:12-cv-02108-WGY-cgc

*January 28, 2015*  
 YOUNG D.J.

MOTION ALLOWED. *Judgment shall enter.*

*William A. Young*  
 U.S. District Judge

**UNOPPOSED MOTION FOR AMENDED JUDGMENT**

Defendant Berry Plastics Corporation (“Berry”) moves for judgment to be entered as described herein. On January 8, 2015, the Court held a status conference regarding Berry’s pending Motion to Alter or Amend the Judgment previously entered by the Court (*Dkt. No. 143*). During that status conference and in response to Berry’s Motion, the Court indicated that it would set a trial date for Berry’s inequitable conduct counterclaims, but that the parties could alternatively agree to dismissal of Berry’s counterclaims without prejudice. The parties have conferred and are in agreement that the Judgment previously entered (*Dkt. No. 142*) should be amended to expressly dismiss Berry’s counterclaims without prejudice. Thus, pursuant to Federal Rule of Civil Procedure 41, the parties stipulate to the dismissal of Berry’s counterclaims without prejudice.

In addition to the Motion to Amend or Alter the Judgment, Berry’s Rule 11 Motion is currently pending before this Court and has been fully briefed by the parties (*Dkt. Nos. 144, 149, and 156*). In order to avoid uncertainty about the status of Berry’s Rule 11 Motion, Berry