



It is the intention of the parties that this request and motion result in (1) the express abandonment without prejudice of applicant's Application Serial No. 76/433,515 and (2) the dismissal without prejudice of Opposition No. 91/160,452, including all claims and counterclaims in that matter.

Consent to abandonment without prejudice of Application Serial No. 78/433,515 and dismissal without prejudice of the counterclaim in Opposition No. 91/160,452:

JERSEY MIKE'S FRANCHISE SYSTEMS, INC.

By: Kathleen Gallagher-Duff  
Bingham B. Leverich  
Kathleen T. Gallagher-Duff  
Marie Lavalleye  
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*Attorney for Opposer Jersey Mike's Franchise Systems, Inc.*

Dated: September 29, 2006

Consent to a dismissal without prejudice of all claims in Opposition No. 91/160,452:

MIKES RESTAURANTS INC.  
LES RESTAURANTS MIKES INC.

By: Charles P. Kennedy  
Charles P. Kennedy  
LERNER, DAVID, LITTENBERG,  
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Dated: October 16, 2006