

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

WAL-MART STORES, INC.,)	
)	
Plaintiff,)	Case No. 05-5189
)	
vs.)	
)	
VALUECLICK, INC. and VC E-COMMERCE)	
SOLUTIONS, INC.,)	
)	
Defendants.)	

MOTION FOR CONSENT JUDGMENT AND PERMANENT INJUNCTION

COMES NOW the Plaintiff, Wal-Mart Stores, Inc. (“Wal-Mart”), by and through its attorney of record, and for its Motion for Consent Judgment and Permanent Injunction, states as follows:

1. All parties hereto have entered into a Settlement Agreement as of March 22, 2006, whereby all parties have fully and fairly settled any and all claims in this action arising before such date.

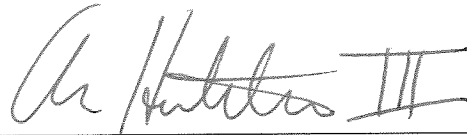
2. Pursuant to such Settlement Agreement, Wal-Mart is required to file the attached Consent Judgment and Permanent Injunction for this Court’s approval and issuance.

3. The proposed Consent Judgment and Permanent Injunction has been approved by all parties and their respective counsel, and pursuant to the terms of the parties’ Settlement Agreement, this motion is unopposed by the Defendants, ValueClick, Inc. and VC E-Commerce Solutions, Inc.

4. To the extent that the parties' Settlement Agreement is required to be filed with the Court, all parties hereto have agreed pursuant to their Settlement Agreement to stipulate to filing the Settlement Agreement with the Court under seal.

WHEREFORE, Plaintiff Wal-Mart prays that this Court grant its unopposed Motion and issue the accompanying Consent Judgment and Permanent Injunction and award Wal-Mart with any and all other relief to which it is entitled.

Respectfully submitted,



W. Asa Hutchinson III
Arkansas Supreme Court Number 2001115
WARNER, SMITH & HARRIS, PLC
J.B. Hunt NBC Tower
3333 Pinnacle Hills Parkway, Suite 220
Rogers, AR 72758
Tel: (479) 271-6041 (tel.)
Fax: (479) 271-6065 (fasc.)
ahutchinson@warnersmith.com

Of Counsel:


Franklin B. Molin, Esquire
Pa. I.D. # 66827
David Schramm, Esquire
Pa. I.D. # 82582

KIRKPATRICK & LOCKHART
NICHOLSON GRAHAM LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222
(412) 355-6500 (tel.)
(412) 355-6501 (facs.)

CERTIFICATE OF SERVICE

I, W. Asa Hutchinson III, attorney of record for Defendant, do hereby certify that I have on this 23 day of March, 2006, served the foregoing Motion for Consent Judgment and Permanent Injunction in this action by sending a copy of each to its attorney of record via U.S. Mail as follows:

Bennet G. Kelley
ValueClick, Inc.
30699 Russell Ranch Road, Suite 250
Westlake Village, CA 91362-7319

By: 
W. Asa Hutchinson III