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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**
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14 MALIBU MEDIA, LLC,
15 Plaintiff,
16 v.
17 John Does 1 through 35,
18 Defendants.

Case No. 3:12-cv-01135-LAB-DHB

**PLAINTIFF'S NOTICE OF
SETTLEMENT AND VOLUNTARY
DISMISSAL OF JOHN DOE 2
WITH PREJUDICE**

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PLEASE TAKE NOTICE that Plaintiff has settled this matter with John Doe 2 (“Defendant”), *who is represented by counsel*. John Doe 2 was assigned the IP Address 174.65.34.36. Pursuant to the settlement agreement’s terms, Plaintiff hereby voluntarily dismisses Defendant from the action with prejudice. For the avoidance of doubt, Plaintiff is not voluntarily dismissing any other Defendant.

Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i), Defendant John Doe 2 has neither answered Plaintiff’s Complaint nor filed a motion for summary judgment.

DATED: September 12, 2012

Respectfully submitted,

KUSHNER LAW GROUP, LLC
Attorneys for Plaintiff

By: /s/ Leemore Kushner
Leemore Kushner

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CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ Leemore Kushner
Leemore Kushner