

**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS**

MALIBU MEDIA, LLC,	)	
	)	
Plaintiff,	)	Civil Action Case No. <u>3:12-cv-03211-SEM-BGC</u>
	)	
v.	)	
	)	
PHAY LINTHAKHANH and JOHN DOES 2,	)	
3, 5 and 6,	)	
	)	
Defendants.	)	
_____	)	

**PLAINTIFF’S NOTICE OF VOLUNTARYDISMISSAL  
WITHOUT PREJUDICE OF JOHN DOES 2, 3, 5 AND 6 ONLY**

**PLEASE TAKE NOTICE**, Plaintiff hereby voluntary dismisses Defendants, John Does 2, 3, 5 and 6 (“Defendants”) from this action without prejudice. Defendants were assigned the IP address 68.212.197.43, 98.214.150.197, 98.214.236.212 and 98.222.142.224, respectively. Plaintiff has received the names and identifying information of many Defendants in this case and is unable to coordinate service of process to properly serve these Defendants by the Rule 4(m) deadline. Plaintiff plans on further investigating and confirming the information provided by the Internet Service Provider and will re-file and serve each Doe Defendant if deems necessary.

Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i) Defendants have neither answered Plaintiff’s Complaint nor filed a motion for summary judgment.

Dated: November 19, 2012

Respectfully submitted,

NICOLETTI & ASSOCIATES, PLLC

By: /s/ Paul J. Nicoletti  
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 19, 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/ Paul J. Nicoletti  
Paul J. Nicoletti, Esq.