

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT INDIANA**

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Civil Case No. <u>1:12-cv-00845-TWP-MJD</u>
)	
v.)	
)	
ANDREW LEIGHTNER, KEVIN DEMPSEY,)	
KENNETH REESE, CARL RUDY, LUCAS)	
SHULTZ, LUCIAN SAVULESCU, DAN)	
COROIAN, JIM GENDRON, JEREMY)	
COTTON, NEVILLE FERNANDES, DANIEL)	
PITTMAN, JAY GARRETT, JERRY RICHEY,)	
CONNIE FELONGCO, TERESA)	
STEPHENSON, KIRAN POULSEN, CHRIS)	
MINOR, SIWEI LI, DERICK BROOKS,)	
CLARISSA HENDERSHOT and JOHN DOES)	
14, 16, 17, 20, 23, 24 and 29.)	
)	
Defendants.)	
)	

**PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE OF JAY GARRETT A/K/A JOHN DOE 13**

PLEASE TAKE NOTICE, Plaintiff hereby voluntary dismisses Defendant, Jay Garrett, formerly known as John Doe 13 (“Defendant”) from this action without prejudice. Defendant was assigned the IP address 68.58.8.133. 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 has neither answered Plaintiff’s Complaint, Amended Complaint nor filed a motion for summary judgment.

Dated: December 12, 2012

Respectfully submitted,

NICOLETTI & ASSOCIATES, PLLC

By: /s/ Paul J. Nicoletti
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on December 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/ Paul J. Nicoletti