

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

MALIBU MEDIA, LLC,)
)
 Plaintiff,) Civil Case No. 2:12-cv-12586-PJD-MJH
)
 v.)
)
 JOHN DOES 1-13,)
)
 Defendants.)
 _____)

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE OF JOHN DOES 1, 2, 3, 5, 6, 7, 8, 9, 10, 12 AND 13 ONLY**

PLEASE TAKE NOTICE, Plaintiff hereby voluntarily dismisses Defendants, John Doe 1, 2, 3, 5, 6, 7, 8, 9, 10, 12 and 13 from this action without prejudice. Defendants were assigned IP addresses 24.11.179.75, 107.5.22.74, 68.40.218.118, 68.43.8.144, 76.112.197.179, 76.112.209.45, 98.209.144.87, 98.243.29.209, 97.85.59.231, 69.14.164.121 and 96.27.37.224, respectively. Plaintiff has recently received the names and identifying information of many of the 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: October 12, 2012

Respectfully submitted,

NICOLETTI & ASSOCIATES, PLLC

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

CERTIFICATE OF SERVICE

I hereby certify that on October 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
Paul J. Nicoletti, Esq. (P44419)