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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MALIBU MEDIA, LLC :  
 :  
 Plaintiff, :  
 v. : Civil Action No. 5:12-cv-04820-CMR  
 :  
 JOHN DOES 1-6, :  
 :  
 Defendants. :

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**PLAINTIFF’S NOTICE OF SETTLEMENT AND VOLUNTARY DISMISSAL  
WITH PREJUDICE OF JOHN DOE 5 ONLY**

**PLEASE TAKE NOTICE**, Plaintiff has settled this matter with John Doe 5 (“Defendant”). Pursuant to the settlement agreement’s terms, Plaintiff hereby voluntarily dismisses Defendant from this action with prejudice. John Doe 5 was assigned the IP Address 71.224.128.135. 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 5 has neither answered Plaintiff’s Complaint nor filed a motion for summary judgment.

Dated: December\_\_\_\_, 2012

Respectfully submitted,

By:  /s/ Christopher P. Fiore  
Christopher P. Fiore  
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*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on December \_\_\_\_, 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/ Christopher P. Fiore  
Christopher P. Fiore