
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:12-cv-00849-PAB-MEH

MALIBU MEDIA, LLC,

Plaintiff,

v.

JOHN DOES 1, 3-4, 6,

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE OF JOHN DOES 1 AND 3 ONLY**

PLEASE TAKE NOTICE, Plaintiff hereby voluntarily dismisses Defendants, John Does 1 and 3 (“Defendants”) from this action without prejudice. John Doe 1 was assigned IP address 174.51.144.91 and John Doe 3 was assigned IP address 50.134.131.27. Plaintiff recently received the names and identifying information of these Defendants and is unable to coordinate service of process to properly serve them 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 of these Defendants if necessary. For the avoidance of doubt, Plaintiff is not voluntarily dismissing any other Defendant.

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: August 2, 2012

Respectfully submitted,

By: /s/ Jason Kotzker
Jason Kotzker
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on August 2, 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/ Jason Kotzker
Jason Kotzker