

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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PATRICK COLLINS, INC.,	:	
	:	
Plaintiff,	:	Civil Action No. 1:12-cv-02962-HB
	:	
vs.	:	
	:	
JOHN DOE 1,	:	
	:	
Defendant.	:	
	:	
-----X		

**PLAINTIFF’S NOTICE OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE OF JOHN DOE 1**

PLEASE TAKE NOTICE, Plaintiff hereby voluntary dismisses John Doe 1 from this action without prejudice as Plaintiff was unable to ascertain the identity of John Doe 1 through its subpoena to the relevant ISP. John Doe 1 was assigned the IP address 69.114.100.209. Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i) Defendant has neither answered Plaintiff’s Complaint nor filed a motion for summary judgment.

Consistent herewith Plaintiff consents to the Court having its case closed for administrative purposes.

Dated: October 4, 2012

Respectfully submitted,

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

CERTIFICATE OF SERVICE

I hereby certify that on October 4, 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.

/s/ Jason Kotzker
Jason Kotzker