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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

THIRD DEGREE FILMS, INC.,

Plaintiff,

v.

JOHN DOES 2-7,

Defendants.

Civil Action No. 3:12-cv-04692-FLW-TJB

**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 69.115.201.58. 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: October 31, 2012

Respectfully submitted,

By: /s/ Patrick J. Cerillo  
Patrick J. Cerillo, Esquire

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 31, 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/Patrick J. Cerillo  
Patrick J. Cerillo, Esq.