

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ACHTE/NEUNTE BOLL KINO)
BETEILIGUNGS GMBH & CO KG,)
Plaintiff,)
v.) CA. 1:10-cv-00453-RMC
ADRIENNE NEAL; and DOES 1 – 139,)
Defendants.)

NOTICE OF FILING SECOND AMENDED COMPLAINT AND NOTICE OF VOLUNTARY DISMISSAL OF CERTAIN DOE DEFENDANTS PURSUANT TO COURT'S ORDER OF 11/19/10 [DOC. NO. 143]

Plaintiff submits this notice regarding the filing of its Second Amended Complaint pursuant to this Court's order of November 19, 2010. [Doc. No. 143]

On December 3, 2010, Plaintiff's counsel emailed Plaintiff's Second Amended Complaint and corresponding Summons to the Court's generic email address according to the Court's Electronic Case Filing System (ECF) practices. Attached as Exhibit 1 hereto is a true and correct copy of Plaintiff's Second Amended Complaint and corresponding Summons.

As stated in the Second Amended Complaint, Plaintiff has identified by name and address one Defendant over whom it reasonably believes the Court has personal jurisdiction and whom it wants to sue at this time. Plaintiff has not been able to serve the named Defendant yet, as a Summons has not been issued by the clerk of the Court. Once Plaintiff receives the signed Summons it will effectuate service and provide the Court with proof thereof.

Also as stated in the Second Amended Complaint and accompanying Exhibit A, Plaintiff has identified by Internet Protocol addresses and corresponding date and time of alleged infringement for 139 Doe Defendants for whom Plaintiff has no identifying information but over whom it reasonably believes the Court may have personal jurisdiction and whom it may sue.

Plaintiff hereby gives notice that it voluntarily dismisses the case, without prejudice, against the remainder of the Doe Defendants pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), as no dismissed Doe Defendant has filed either an answer or a motion for summary judgment. Plaintiff's Second Amended Complaint and accompanying Exhibit A do not include any individuals who have entered the case as "Interested Parties."

Respectfully submitted,

ACHTE/NEUNTE BOLL KINO
BETEILIGUNGS GMBH & CO KG.

DATED: December 6, 2010

By: /s/
Thomas M. Dunlap (D.C. Bar # 471319)
Nicholas A. Kurtz (D.C. Bar # 980091)
DUNLAP, GRUBB & WEAVER, PLLC
1200 G Street, NW Suite 800
Washington, DC 20005
Telephone: 202-316-8558
Facsimile: 202-318-0242
tdunlap@dlegal.com
nkurtz@dlegal.com
Attorney for the Plaintiff