

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

LIBERTY MEDIA HOLDINGS, LLC,

Plaintiff,

v.

SWARM SHARING HASH FILE
A3E6F65F2E3D672400A5908F64ED55B66A
0880B8 AND COMPRISING GISELE
AZAR, TIMOTHY KIM, PHILLIP DUDAS,
JOHN DAY, AND JOHN DOES 10-13,

Defendants.

Civil Action No. 11-cv-10801-WGY

NOTICE OF DISMISSAL OF DEFENDANT JOHN DAY

Pursuant to Fed. R. Civ. P. 41(a)(1) (A)(i), the Plaintiff, Liberty Media Holdings, LLC (“Liberty Media”), hereby dismisses this action without prejudice solely as to Defendant John Day.

Dated: February 20, 2012

Respectfully submitted,

LIBERTY MEDIA HOLDINGS, LLC

By its attorneys,

/s/ Aaron Silverstein

Aaron Silverstein, Esq.

(BBO #660716)

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CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2012, the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be served via first-class mail to those indicated as non-registered participants.

/s/ Aaron Silverstein
Aaron Silverstein