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5 *Attorney for Plaintiff*  
*First Time Videos, L.L.C.*

6  
7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE DISTRICT OF ARIZONA**  
9

10 FIRST TIME VIDEOS, L.L.C., an Arizona  
corporation,  
11  
12 Plaintiff,  
v.  
13 GARY PHOENIX,  
14 Defendant.

**CASE NO.: 2:12-cv-01488-ROS**

**NOTICE OF VOLUNTARY  
DISMISSAL OF ACTION WITH  
PREJUDICE PURSUANT TO F.R.C.P.  
41(a)(1)(A)(i)**

15  
16 **NOTICE OF VOLUNTARY DISMISSAL OF ACTION WITH PREJUDICE**  
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18 **NOTICE IS HEREBY GIVEN** that pursuant to Federal Rule of Civil Procedure  
19 41(a)(1)(A)(i), Plaintiff voluntarily dismisses the above captioned action in its entirety with prejudice.

20 1. Pursuant to F.R.C.P 41(a)(1)(A)(i), a plaintiff may dismiss an action without a Court  
21 Order by “filing a notice of dismissal before the opposing party serves either an answer or a motion  
22 for summary judgment;”

23 2. Defendant Gary Phoenix has not been served in this action, and has not filed either an  
24 answer to Plaintiff’s Complaint, or a motion for summary judgment.

1 3. Dismissal of this action with prejudice without a Court Order pursuant to F.R.C.P.  
2 41(a)(1)(A)(i) is appropriate.

3 Dated this 25<sup>th</sup> day of July, 2012

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5  
6 By: /s/ Steven James Goodhue  
7 Steven James Goodhue (#029288)  
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