UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA GREENSBORO DIVISION No.: 1:07-cv-00948-UA-WWD

| BMG MUSIC, et al., | |) |
|--------------------|-------------|-----------------------------------------------------|
| | Plaintiffs, | |
| v. | |)) <u>Notice of Dismissal Without Prejudice</u> |
| Does 1 - 14, | | |
| | Defendants. |) |

Pursuant to FED. R. CIV. P. 41(a)(1)(A)(i), Plaintiffs BMG MUSIC, *et al.*, by and through their attorneys, voluntarily dismiss without prejudice their copyright infringement claims against all remaining Doe Defendants, each party to bear its/his or her own fees and costs. The Clerk of Court is respectfully requested to close this case.

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Respectfully submitted, this the 9th day of January, 2009.

/s/ Lacey M. Moore

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **NOTICE OF DISMISSAL WITHOUT PREJUDICE** has been served using the CM/ECF system, which will send notification of such filing to the following on this 9th day of January, 2009:

Paul Daniels, Esquire pad@trslaw.com

And on this same day I have hereby served the following via US Mail First Class mail, postage prepaid:

Thomas E. Ullrich, Esquire Wharton, Aldhizer & Weaver, PLC 100 South Mason Street P.O. Box 20028 Harrisonburg, Virginia 22801

Elizabeth F. Crabill MCNC General Counsel P.O. Box 12889 3021 Cornwallis Rd. Research Triangle Park, NC 27709-2889

> /s/ Lacey M. Moore Lacey M. Moore