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15 *Attorneys for Plaintiff and the putative class*

16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**
18 **WESTERN DIVISION**

19 STEWART RESMER, an individual, on)
20 behalf of himself and all others similarly) Case No. CV 09-08497 MMM (VBKx)
21 situated,)
22) **PLAINTIFF’S NOTICE OF**
23 Plaintiff,) **VOLUNTARY DISMISSAL**
24) **WITHOUT PREJUDICE**
25 v.) **PURSUANT TO FEDERAL RULE**
26) **OF CIVIL PROCEDURE 41(a)(1)**
27 OVERSEE.NET, INC., a California)
28 corporation, and SNAPNAMES.COM,) Hon. Margaret M. Morrow
INC., an Oregon Corporation,)
Action Filed: Nov. 18, 2009
Defendants.)
)

1 **PLEASE TAKE NOTICE** that Plaintiff STEWART RESMER (“Plaintiff”),
2 pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses all
3 claims in this action *without prejudice* as to Defendants Oversee.net, Inc. and
4 SnapNames.com, Inc.

5 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

6 **(a) Voluntary Dismissal.**

7 **(1) By the Plaintiff.**

8 **(A) Without a Court Order.** Subject to Rules 23(e), 23.1(c), 23.2, and 66
9 and any applicable federal statute, the plaintiff may dismiss an action
10 without a court order by filing:

11 **(i)** a notice of dismissal before the opposing party serves either an
12 answer or a motion for summary judgment

13 * * *

14 Defendants have neither answered Plaintiff’s Complaint, nor filed a motion for
15 summary judgment. Accordingly, this matter may be dismissed without prejudice and
16 without an Order of the Court.

17
18 Dated: February 25, 2010

EDELSON MCGUIRE, LLC

19
20 By: /s/ Benjamin H. Richman
21 BENJAMIN H. RICHMAN
22 One of the Attorneys for Plaintiff

CERTIFICATE OF SERVICE

1
2 I, Benjamin H. Richman, an attorney, certify that on February 25, 2010, I
3 served the above and foregoing *Plaintiff's Notice of Voluntary Dismissal Without*
4 *Prejudice Pursuant to Federal Rule of Civil Procedure 41(a)(1)*, by causing true and
5 accurate copies of such paper to be filed and transmitted to the persons shown below
6 via the Court's CM/ECF electronic filing system, on this the 25th day of February,
7 2010.

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/s/ Benjamin H. Richman
Benjamin H. Richman