

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

THIRD DEGREE FILMS, INC.	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. DKC 12-1299
	)	
DOES 1 – 44	)	
	)	
Defendants.	)	

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**RESPONSE TO SHOW CAUSE ORDER, AS WELL AS NOTICE OF VOLUNTARY  
DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)**

Pursuant to F.R.C.P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the Plaintiff hereby gives notice that the above-captioned action is voluntarily dismissed without prejudice.

In this case, the Court severed the John Does and left John Doe 1 as the only defendant. Thus, Plaintiff had to obtain discovery for John Doe 1, a process which takes at least 60 days because the ISP must research and preserve the data, and notify the John Doe at issue. John Does have a 30-day window to file a motion to quash.

On September 4, 2012, this Court issued a Show Cause why Plaintiff has not yet filed an amended complaint or a Rule 4(m) motion. John Doe 1's IP address has been identified in several different copyright infringement cases. Plaintiff is still in the process of reviewing the technical data and coordinating with counsel and other copyright owners. Thus, Plaintiff decided that the best course of action is to dismiss this case without prejudice and then possibly refile it.

Respectfully submitted this 11th day of September 2012.

FOR THE PLAINTIFF:

By:     /s/ Mike Meier      
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ATTORNEY FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that on 11 September 2012, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system.

By:     /s/ Mike Meier      
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