

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

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AF HOLDINGS, LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 11-1274 (RBW)
)	
DOES 1 ó 1140,)	
)	
Defendants.)	
)	
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PLAINTIFF’S NOTICE OF DISMISSAL OF REMAINING DOE DEFENDANTS

Plaintiff, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, hereby dismisses, without prejudice, all causes of action in the complaint against the remaining Doe Defendants in this case. The remaining Doe Defendants have filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Plaintiff filed its Complaint for this case on July 13, 2011. (ECF No. 1.) Twelve days later, on July 25, 2011, Plaintiff filed a Motion for Leave to Take Discovery Prior to Rule 26(f) Conference (ECF No. 3) which was granted forty-five days later on September 8, 2011. (ECF No. 4.) Plaintiff served various Internet Service Providers (ISPs) with subpoenas *duces tecum* within one week of the Court’s Order. In compliance with the Court’s Order, Plaintiff also filed a Status Report on November 10, 2011. (ECF No. 8.) Additionally, Plaintiff has dismissed with prejudice several Doe defendants. (*See* ECF Nos. 5, 6, 7, 10.)

Soon after the Plaintiff’s issuance of subpoenas to the ISPs, several subscribers filed motions to quash, sever, for a protective order and/or to dismiss the complaint. (ECF No. 11, 12,

13, 14, 15, 16, 17, 26, 28.) In its January 20, 2012 Order, the Court denied outstanding motions to quash. (ECF No. 29.) Within three weeks of the Court's Order, Plaintiff received substantially all of the outstanding identifying discovery in this matter. On February 14, 2012, the Court filed a Minute Order ordering the Plaintiff to close its limited discovery on March 2, 2012, and to name and serve defendants by March 9, 2012. (Minute Order, February 14, 2012.)

Plaintiff acknowledges the Court's busy docket; Plaintiff is currently engaged in settlement negotiations with a substantial number of putative Doe Defendants. Rather than prematurely initiate litigation against individuals who may ultimately wish to resolve Plaintiff's claims via settlement and thus needlessly burden the Court, Plaintiff believes that dismissing the claims against the remaining non-settling Doe Defendants in this action without prejudice in lieu of filing actions against non-settling individuals strikes a favorable balance between preserving Court resources and safeguarding its intellectual property rights.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: February 29, 2012

By: /s/ Timothy V. Anderson
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 29, 2012, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system.

/s/ Timothy V. Anderson
TIMOTHY V. ANDERSON