

1 Michael L. Meeks, Esq. (State Bar No. 172000)
 2 meeksm@pepperlaw.com
 3 Joseph M. Preis, Esq. (State Bar No. 212998)
 4 preisj@pepperlaw.com
 5 **PEPPER HAMILTON LLP**
 6 4 Park Plaza, Suite 1200
 7 Irvine, California 92614
 8 Telephone: 949.567.3500
 9 Fax: 949.863.0151

10 Attorneys for Requestor

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 GRISOFT, S.R.O.,

14 Requestor,

15 v.

16 GOOGLE, INC.,

17 Witness.

18 Case No. C-07-80281 (Misc) MMC
 19 (JCS)

20 NOTICE OF DISMISSAL

21 TO THE CLERK OF COURT, ALL PARTIES AND INTERESTED PERSONS:

22 PLEASE TAKE NOTICE that AVG Technologies, c.r.o., formerly known
 23 as, Grisoft, s.r.o., the subpoena requestor in this matter, by its counsel, pursuant to
 24 F.R. Civ. P. 41(a)(1)(A)(i), hereby dismisses without prejudice the subpoena duces
 25 tecum issued by this Court on January 3, 2008, against the third party witness,
 26 Google, Inc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

It is further submitted that this notice renders moot the pending motion to quash subpoena pursuant to 17 U.S.C. § 512(h), of the moving party, John Doe [Docket No. 3], which motion likewise should be dismissed without prejudice. A form of order to such effect is included with this notice.

Dated: August 21, 2008

PEPPER HAMILTON LLP

By: /s/
Michael L. Meeks
Attorneys for Requestor

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ___ day of August, 2008, I caused to be served via electronic mail and first-class mail a copy of the foregoing Notice of Dismissal and proposed order upon:

Henry A. Platt, Esquire
hplatt@saul.com
2600 Virginia Avenue, N.W.
Suite 1000 – the Watergate
Washington, D.C. 20037-1922

Counsel for the Movant John Doe

and:

Google, Inc.
legal-support@google.com
Attn: Google Legal Support/DMCA Complaints
1600 Amphitheatre Parkway
Mountain View, CA 94043

Counsel for the Witness

/S/
Michael L. Meeks