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*Attorneys for Individual and Representative Plaintiff Kip Nelson*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

KIP NELSON,

Plaintiff,  
/s.

AT&T MOBILITY LLC,

Defendant.

CASE NO. 3:10-CV-04802-TEH

## CLASS ACTION

**PLAINTIFF'S NOTICE OF  
VOLUNTARY DISMISSAL  
PURSUANT TO RULE 41(a)(1)**

**NOTICE OF VOLUNTARY DISMISSAL**

PLEASE TAKE NOTICE that Plaintiff Kip Nelson hereby voluntarily dismisses all of his claims against Defendant AT&T Mobility LLC, pursuant to Federal Rule of Civil Procedure 41(a)(1). *See generally* Fed. R. Civ. P. 23(e) (court approval required only for dismissal of claims “of a certified class”); *Wynn v. Nat'l Broadcasting Co.*, No. CV 00-11248, 2002 WL 31681865 (C.D. Cal. Mar. 6, 2002) (dismissal under Rule 41(a)(1) did not require approval “by the Court pursuant to Rule 23(e), since there is no certified class action”).

DATED: November 28, 2011

Respectfully submitted,

## **GIRARD GIBBS LLP**

By: /s/ David Stein

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