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12 Attorneys for Plaintiff



13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**

15 **ANDREW HUMBLE**, an individual,
 16 individually and on behalf of a class of
 17 similarly situated persons,

18 Plaintiff,

19 vs.

20 **WISE MEDIA, LLC**, a Georgia Limited
 21 Liability Company, and **DOES 1-10**,
 22 inclusive,

23 Defendants.

Case No. 3:12-cv-01203-MEJ

NOTICE OF DISMISSAL



1 TO THE COURT, THE PARTIES, AND ALL ATTORNEYS OF RECORD:

2 WHEREAS, Plaintiff Andrew Humble (“Plaintiff”) commenced this action against
3 Defendant Wise Media, LLC (“Defendant”) on March 9, 2012, alleging that Defendant
4 engaged in deceptive practices by sending unsolicited text messages to consumers’
5 mobile phones and involuntarily enrolling consumers in Defendant’s text-based
6 subscription plan, and

7 WHEREAS, Defendant has furnished website and text message logs evidencing
8 Defendant’s position that Plaintiff knowingly consented to the subscription plan. While
9 Plaintiff has not admitted consenting to Defendant’s subscription plan, Plaintiff has not
10 furnished evidence refuting Defendant’s logs,

11 THEREFORE, Plaintiff Andrew Humble, by and through his undersigned counsel,
12 HEREBY DISMISSES WITH PREJUDICE his individual claims against Wise Media, LLC
13 pursuant to Fed. R. Civ. Proc. 41(a)(1)(a)(i), with each party to bear its own costs,
14 expenses, and attorneys’ fees. The claims asserted on behalf of putative class members
15 are dismissed without prejudice pursuant to Fed. R. Civ. Proc. 41(a)(1)(a)(i).

16
17 Respectfully Submitted,

18 DATED: March 27, 2012

KRONENBERGER ROSENFELD, LLP

19
20 By: s/ Karl S. Kronenberger

Karl S. Kronenberger

Attorneys for Plaintiff Andrew Humble

