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10 Attorneys for Plaintiff
 BE IN, INC.

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

15
 16 **BE IN, INC., a New York corporation,**

17 **Plaintiff,**

18 **v.**

19 **GOOGLE INC., a California corporation,**
 20 **YOUTUBE, LLC, a Delaware limited liability**
 21 **company, and GOOGLE UK LTD., a private**
 22 **limited company registered in England and**
 23 **Wales,**

24 **Defendants.**

CASE NO. 5:12-CV-03373-LHK

**NOTICE OF WITHDRAWAL OF
 MOTION FOR LEAVE TO FILE SECOND
 AMENDED COMPLAINT**

1 Pursuant to the Court's Order Extending Time to File Reply Brief in Support of Be In, Inc.'s
2 Motion for Leave to File Second Amended Complaint (Dkt. No. 47), Plaintiff Be In, Inc. hereby
3 withdraws its Motion for Leave to File Second Amended Complaint (Dkt. No. 37). Pursuant to the
4 same Order, Be In will provide Defendants with a revised proposed second amended complaint.
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8 Dated: May 30, 2013

Respectfully submitted,

MORRISON & FOERSTER LLP

By: /s/ Kenneth A. Kuwayti
Kenneth A. Kuwayti

Attorneys for Plaintiff
BE IN, INC.