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6 UNITED STATES DISTRICT COURT  
 7 NORTHERN DISTRICT OF CALIFORNIA

9 BABAK PISHVAEE, individually, and on  
 10 behalf of a class of similarly situated  
 individuals,

Case No. C-07-3407 CW

**NOTICE OF VOLUNTARY DISMISSAL**

11 Plaintiff,

12 v.

13 VERISIGN, INC., a California corporation,  
 14 M QUBE, INC., a Delaware corporation,  
 and AT&T MOBILITY LLC, formerly  
 15 known as Cingular Wireless LLC, a  
 Delaware corporation,

16 Defendants.  
 17

18  
 19 The Plaintiff, by and through her undersigned counsel, hereby gives notice of voluntary  
 20 dismissal of this matter pursuant to Fed. R. Civ. P. Rule 41(a)(i) as follows:

21 1 The claims asserted by the Plaintiff in this action against AT&T Mobility LLC  
 22 have been settled and released by a Final Order and Judgment in the matter of *Tracie McFerren v.*  
 23 *AT&T Mobility, LLC*, Fulton County Superior Court Case No. 08-CV-151322 before the Superior  
 24 Court of Fulton County, Georgia. The court issued final approval of the classwide settlement on  
 25 December 7, 2009.

26 2. In addition, Defendant m-Qube, Inc. and plaintiffs' counsel in a parallel national  
 27 class action have entered into a nationwide settlement resolving all claims against m-Qube related  
 28 to the alleged imposition of unauthorized mobile content charges on the cell phone bills of

1 wireless subscribers other than those relating to AT&T (which will be released in the *McFerren*  
2 settlement). Judge Stewart E. Palmer of the Circuit Court of Cook County, Illinois, granted  
3 preliminary approval to the class action settlement on November 3, 2009, in the case *Parone, et*  
4 *al. v. m-Qube, Inc., et al.*, No. 08 CH 15834 (Circuit Court of Cook County, Illinois). The court  
5 granted final approval to the settlement on February 24, 2010.

6 Plaintiff therefore voluntarily dismisses his claims against Defendants AT&T Mobility  
7 LLC, m-Qube, and VeriSign, Inc. *with prejudice* and with all parties to bear their own costs.

8  
9 Dated: March 31, 2010

AUDET & PARTNERS, LLP

10  
11 By: /s/  
12 Adel A. Nadji

13 Attorneys for Plaintiff  
14 BABAK PISHVAEE

15 **ORDER**

16 Pursuant to the Federal Rule of Civil Procedure 41(a), IT IS HEREBY ORDERED:

17 That this action shall be and hereby is dismissed with prejudice as to Defendants AT&T  
18 Mobility LLC, m-Qube, and VeriSign, Inc. and with all parties are to bear their own costs.

19  
20 Dated: 04/02/2010

21   
22 \_\_\_\_\_  
23 CLAUDIA WILKEN  
24 United States District Judge