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10 Attorneys for Plaintiff
 FACEBOOK, INC.

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

16 FACEBOOK, INC.,
 17 Plaintiff,
 18 v.
 19 ADAM GUERBUEZ; ATLANTIS BLUE
 CAPITAL; AND DOES 1-25,
 20 Defendants.
 21

Case No. C08 03889 JF HRL

**NOTICE OF VOLUNTARY
 DISMISSAL OF REMAINING
 PARTIES AND CLAIMS WITHOUT
 PREJUDICE AND REQUEST FOR
 ENTRY OF FINAL JUDGMENT**

Date: December 8, 2008
 Time:
 Location:
 Judge: Hon. Jeremy Fogel

1 This action was filed on August 14, 2008. The complaint and summons in this action
2 were served on defendants Adam Guerbuez and Atlantis Blue Capital on August 14, 2008.
3 Defendants have not appeared in this action nor served any answer or motions for summary
4 judgment on plaintiff.

5 On November 21, 2008, this Court entered a Default Judgment against Adam Guerbuez
6 and Atlantis Blue Capital related to Facebook's CAN-SPAM Act claim. Facebook hereby waives
7 its right to collect attorneys' fees and costs of suit pursuant to that Default Judgment. In addition,
8 pursuant to the Federal Rules of Civil Procedure, Rule 41(a)(1)(A), Plaintiff Facebook, Inc.
9 hereby voluntarily dismisses the remaining parties, Does 1-25, and claims in the above-entitled
10 action without prejudice as of the date of filing this notice.

11 Pursuant to the Federal Rules of Civil Procedure, Rules 41(a)(1)(A) and 54(b), plaintiff
12 Facebook requests entry of the attached [Proposed] Final Judgment.

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15 Dated: December 8, 2008.

I. NEEL CHATTERJEE
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P. WAYNE HALE
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19 _____
/s/ Thomas J. Gray
Thomas J. Gray
Attorneys for Plaintiff
FACEBOOK, INC.
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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants, if any.

Dated: December 8, 2008.

Respectfully submitted,

/s/ Thomas J. Gray
Thomas J. Gray