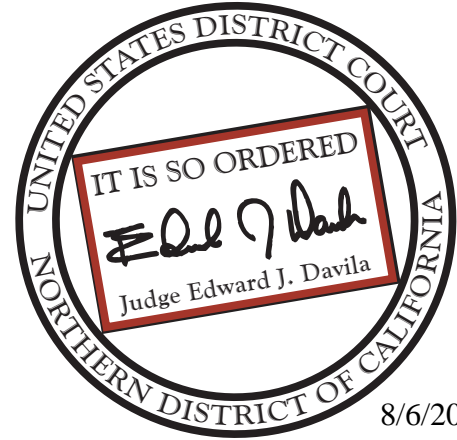


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8/6/2013

8 *ATTORNEYS FOR PLAINTIFF*

9
 10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN JOSE DIVISION**

13	THINK COMPUTER CORPORATION, a)	Case No. 5:13-cv-02054-EJD
14	Delaware Corporation,)	
15)	PLAINTIFF'S NOTICE OF VOLUNTARY
16	Plaintiff,)	DISMISSAL WITHOUT PREJUDICE OF
17)	DEFENDANT ANDREESSEN HOROWITZ
18	v.)	LLC PURSUANT TO FEDERAL RULE OF
19)	CIVIL PROCEDURE 41(a)(1)(A)(i)
20	DWOLLA, INC. <i>et al.</i> ,)	
21)	
22	Defendants.)	Judge Edward J. Davila
23)	
24)	

1 **PLEASE TAKE NOTICE** that Plaintiff Think Computer Corp. (“Plaintiff”), pursuant to
2 Federal Rule of Civil Procedure 41(a)(1)(A)(i), hereby voluntarily dismisses all claims in this
3 action *without prejudice* as to Defendant Andreessen Horowitz LLC only. This dismissal has no
4 effect on Plaintiff’s claims against the remaining defendants. Plaintiff and defendant Andreessen
5 Horowitz LLC shall bear their own costs and attorney’s fees.

6 Federal Rule of Civil Procedure 41(a)(1)(A)(i) provides:

7
8 (a) Voluntary Dismissal.

9 (1) *By the Plaintiff.*

10 (A) *Without a Court Order.* Subject to Rules 23(e), 23.1(c),
11 23.2, and 66 and any applicable federal statute, the
12 plaintiff may dismiss an action without a court order
 by filing:

13 (i) a notice of dismissal before the opposing party
14 serves either an answer or a motion for summary
 judgment[.]

15 Fed. R. Civ. P. 41(a)(1)(A)(i).

16 Defendant Andreessen Horowitz LLC has not answered Plaintiff’s Complaint or First
17 Amended Complaint, or filed a motion for summary judgment. Accordingly, this defendant may
18 be dismissed without prejudice and without an Order of the Court.

19
20 Dated: August 1, 2013

ASCHENBRENER LAW, P.C.

21 s/ Michael J. Aschenbrener
22 _____
 Michael J. Aschenbrener

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CERTIFICATE OF SERVICE

I, Michael Aschenbrener, an attorney, hereby certify that on August 1, 2013, I caused a copy of the foregoing document to be served upon counsel of record via the Court's CM/ECF system.

Dated: August 1, 2013

s/ Michael Aschenbrener
Michael Aschenbrener