

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JEFFREY TOBACK, on behalf of himself  
and all others similarly situated,

2:06-cv-02692-DRH-WDW

Plaintiffs,

**NOTICE OF DISCONTINUANCE**

-against-

GOOGLE, INC.,

Defendant.  
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PLEASE TAKE NOTICE that pursuant to FRCP 41(a)(1)(i) the plaintiff, JEFFREY TOBACK, on behalf of himself and all others similarly situated, discontinues the above entitled action, without prejudice and without costs to either party as against the other.

To date the defendant has not answered or moved for summary judgment.

Dated: White Plains, New York  
June 21, 2006

MEISELMAN, DENLEA, PACKMAN,  
CARTON & EBERZ P.C.

By: s/ \_\_\_\_\_  
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