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**UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF NEW YORK**

**MEYER, SUOZZI, ENGLISH & KLEIN,
 P.C.,**

Plaintiff,

v.

**MATHEW K. HIGBEE, Esq.,
 NICK YOUNGSON,
 RM MEDIA, LTD., &
 HIGBEE & ASSOCIATES,**

Defendants.

Case No. 2:18-cv-03353-ADS-ARL

**NOTICE OF WITHDRAWAL OF
 DOCUMENT (DOCKET NO. 7)**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT Defendants Mathew K. Higbee and Higbee & Associates (hereinafter “Defendants”) hereby withdraw their Motion to Dismiss for Failure to State a Claim (Docket #7). Defendants will refile their motion to dismiss as Docket No. 9 immediately following filing of this notice.

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Dated: June 29, 2018

Respectfully submitted,

/s Rayminh L. Ngo

Rayminh L. Ngo, Esq.

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*Attorney for Defendants Mathew K. Higbee &
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronically filing with the Clerk of the Court using CM/ECF on this **29th** day of **June, 2018**, on all counsel or parties of record on the service list below.

/s/ Rayminh L. Ngo
Rayminh L. Ngo, Esq.

SERVICE LIST

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