

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

_____	)	
THE NEW YORK TIMES COMPANY,	)	
	)	Civil Action No. 2010-cv-7921-GBD
Plaintiff,	)	
	)	
v.	)	<b>NOTICE OF DISMISSAL</b>
	)	<b>WITHOUT PREJUDICE</b>
KACHINGLE INC.,	)	
	)	
Defendant.	)	
_____	)	

**NOTICE OF DISMISSAL WITHOUT PREJUDICE**

Plaintiff, The New York Times Company, by and through counsel, respectfully files this notice of dismissal without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). This notice is being filed before service by Kachingle Inc. of an answer or motion for summary judgment.

Dated: December 27, 2010

Respectfully submitted,

ROTHWELL, FIGG, ERNST & MANBECK, PC



\_\_\_\_\_  
Steven Lieberman (SL 8687)

Anne M. Sterba

R. Elizabeth Brenner-Leifer

1425 K St., N.W., Ste. 800

Washington, D.C. 20005

(202) 783-6040

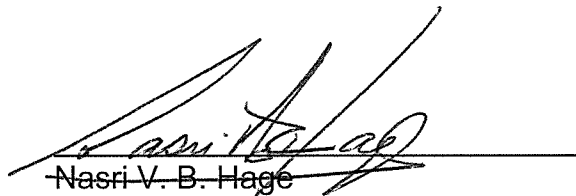
*Attorneys for Plaintiff*

*The New York Times Company*

## CERTIFICATE OF SERVICE

I hereby certify that on December 27, 2010, a true and correct copy of the **MOTION FOR DISMISSAL** was filed through the Court's Electronic Filing System (ECF), was served electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and served via electronic mail to the following counsel:

Thomas Smith, Esq.  
Harter Secrest & Emery LLP  
1600 Bausch & Lomb Place  
Rochester, NY 14604-2711



Nasri V. B. Hage