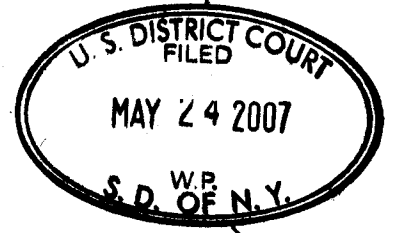


Robinson, J



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROBERT RASTOCKY, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

OPTIONABLE INC., KEVIN CASSIDY, and
EDWARD J. O'CONNOR

Defendants.

CASE NO.: 07-CIV-3755 (WP4) *(SCR)*

NOTICE OF DISMISSAL

PLEASE TAKE NOTICE THAT Plaintiff, pursuant to Federal Rule of Civil Procedure 41(a)(1), voluntarily dismisses without prejudice the above-entitled action. Said dismissal is filed without prejudice since Defendants have not filed an answer or a motion for summary judgment. While this action was filed pursuant to Federal Rule of Civil Procedure 23, court approval of said dismissal is not required as no class has been certified, no settlement or other consideration is involved, and the dismissal would not bind any purported class members.

Dated: May 16, 2007

Respectfully submitted,

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SO ORDERED:

Cherene Bonest

U.S.D.J.

dated: May 24, 2007