

IT IS SO ORDERED.
s/ Jack Zouhary
United States District Judge
4/9/07

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

John Doe,

PLAINTIFF,

Case No. 3:07-cv-604

Judge Jack Zouhary

vs.

AGREED DISMISSAL OF
MONIKER ONLINE SERVICES, INC.

SexSearch.com, et al.,

DEFENDANTS.

Plaintiff, John Doe, and Defendant, Moniker Online Services, Inc. (hereinafter referred to as “Moniker”), file this agreed dismissal of Moniker from this Matter pursuant to Federal Civil Rule 41(a)(1) with the following terms between Plaintiff and Moniker:

1. Moniker represents that it has made its best effort to provide Plaintiff, on an expedited basis, with the discovery as outlined in the Court’s Order, Dkt. #64 via email.
2. The dismissal of Moniker is without prejudice.
3. Moniker agrees to accept service of any subpoenas for information or witnesses via overnight courier (Federal Express, DHL, or similar carrier) at the address of Moniker’s Counsel whose address is reflected herein.
4. Moniker agrees to use good faith efforts to provide prompt responses to all future subpoenas and/or court orders for information. Moniker does not waive its right to assert any valid objection(s) to any such future subpoena.
5. Moniker agrees to cooperate in providing any necessary business records witnesses in Broward County, Florida to authenticate records produced pursuant to subpoena or Court Order.