

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**ACTUS, LLC,**

**Plaintiff,**

**v.**

**BANK OF AMERICA CORP., et al.**

**Defendants.**

**CIVIL ACTION NO. 2:09-cv-102-TJW**

**JURY TRIAL DEMANDED**

**NOTICE OF DISMISSAL OF JAVIEN DIGITAL PAYMENT SOLUTIONS, INC.  
WITHOUT PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff Actus, LLC hereby notifies the Court that it dismisses all claims and causes of action asserted against Defendant Javien Digital Payment Solutions, Inc. in the above-entitled and numbered action.

Dated: May 27, 2010

Respectfully Submitted,

**ACTUS, LLC**

/s/ William E. Davis, III  
William E. Davis, III  
Texas State Bar No. 24047416

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**ATTORNEY FOR PLAINTIFF**  
**ACTUS, LLC**

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this the 27th day of May, 2010.

/s/ William E. Davis, III  
William E. Davis, III