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8 Attorneys for Plaintiffs,  
9 SONY BMG MUSIC ENTERTAINMENT;  
10 BMG MUSIC; PRIORITY RECORDS  
11 LLC; WARNER BROS. RECORDS, INC.;  
12 INTERSCOPE RECORDS; MAVERICK  
13 RECORDING COMPANY; VIRGIN  
14 RECORDS AMERICA, INC.; and UMG  
15 RECORDINGS, INC.

16 UNITED STATES DISTRICT COURT  
17 EASTERN DISTRICT OF CALIFORNIA  
18 SACRAMENTO DIVISION

19 SONY BMG MUSIC ENTERTAINMENT, a  
20 Delaware general partnership; BMG MUSIC, a  
21 New York general partnership; PRIORITY  
22 RECORDS LLC, a California limited liability  
23 company; WARNER BROS. RECORDS, INC.,  
24 a Delaware corporation; INTERSCOPE  
25 RECORDS, a California general partnership;  
26 MAVERICK RECORDING COMPANY, a  
27 California joint venture; VIRGIN RECORDS  
28 AMERICA, INC., a California corporation; and  
UMG RECORDINGS, INC., a Delaware  
corporation,

Plaintiffs,

v.

BARRY MERCHANT,  
Defendant.

CASE NO. 2:07-CV-00340-DFL-DAD

Honorable David F. Levi

**NOTICE OF VOLUNTARY DISMISSAL OF  
DEFENDANT BARRY MERCHANT**

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Pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1), Plaintiffs hereby voluntarily dismiss Defendant Barry Merchant, without prejudice.

Dated: March 26, 2007

HOLME ROBERTS & OWEN LLP

By:           /s/ Thomas M. Kerr            
Thomas M. Kerr  
Attorneys for Plaintiff

**PROOF OF SERVICE**

STATE OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO

I am employed in the office of Holme Roberts & Owen in San Francisco, California. I am over the age of eighteen years and not a party to the within action. My business address is 560 Mission Street, 25th Floor, San Francisco, CA 94105.

On March 27, 2007, I served the foregoing documents described as:

**NOTICE OF VOLUNTARY DISMISSAL**

on the interested party in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

**Merl Ledford III, Esq.  
Ledford Law Corporation  
805 West Oak Avenue  
Visalia, CA 93291**

XX BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

XX (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on March 27, 2007 at San Francisco, California.

  
Molly Morris