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6 eXelate, Inc. and Gracenote, Inc.

7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10
11 EXELATE, INC., and
12 GRACENOTE, INC.

13 Plaintiffs,

14 v.

15 FREE STREAM MEDIA CORP.
d/b/a SAMBA TV,

16 Defendant.

Case No. 4:19-cv-03409-JSW

**NOTICE OF VOLUNTARY
DISMISSAL**

Judge: Hon. Jeffrey S. White

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), plaintiffs eXelate, Inc. and
2 Gracenote, Inc. hereby voluntarily dismiss their claims against defendant Free Stream Media
3 Corp. d/b/a Samba TV. Rule 41(a)(1)(A)(i) allows the plaintiff to dismiss a complaint without
4 order of court if the opposing party has neither filed an answer nor a motion for summary
5 judgement. Samba TV has not answered or moved for summary judgment. Accordingly,
6 dismissal under Rule 41(a)(1)(A)(i) is appropriate.

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8 Dated: August 30, 2019

Respectfully submitted,

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10 KELLEY DRYE & WARREN LLP

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12 By: /s/ Kevin E. Cadwell
KEVIN E. CADWELL

13 *Attorney for Plaintiffs,*
14 eXelate, Inc. and Gracenote, Inc.

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