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6 VENTURES and CREEPING DEATH MUSIC

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2000 APR 25 PM 2:49
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

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11 METALLICA, *et al.*,

12 Plaintiffs,

13 vs.

14 NAPSTER, INC., *et al.*,

15 Defendants.

) Case No. CV00-03914 AHM (CWx)

) **NOTICE OF VOLUNTARY DISMISSAL**

ENTERED
CLERK U.S. DISTRICT COURT
APR 26 2000
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

16
17 PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 41(a), plaintiffs
18 voluntarily dismiss defendants UNIVERSITY OF SOUTHERN CALIFORNIA, YALE
19 UNIVERSITY and INDIANA UNIVERSITY from the above-captioned action without prejudice.

20
21 DATED: April 25, 2000

KING, PURTICH, HOLMES,
PATERNO & BERLINER, LLP

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23 By: 
24 DAVID M. CORWIN
25 Attorneys for Plaintiffs METALLICA, E/M
VENTURES and CREEPING DEATH MUSIC

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 1900 Avenue of the Stars, 25th Floor, Los Angeles, California 90067.

On April 25, 2000, I served the foregoing document(s) described as **NOTICE OF VOLUNTARY DISMISSAL** on all interested parties in this action by placing the original a true copy thereof addressed as follows:

Laurence F. Pulgram, Esq.
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, California 94306

BY MAIL, enclosed in sealed envelope(s): 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 Los Angeles, 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.

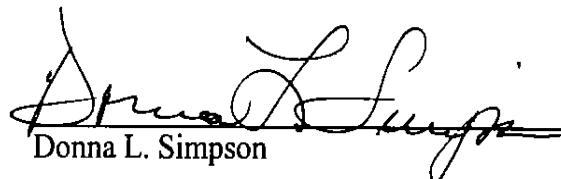
BY FEDERAL EXPRESS DELIVERY, enclosed in sealed envelope(s): I am "readily familiar" with the firm's practice of collection and processing items for Federal Express delivery. Under that practice, it would be deposited in an envelope or package designated by Federal Express in a facility regularly maintained by Federal Express or delivered to a courier or driver authorized to receive documents on its behalf with delivery fees paid or provided for.

BY PERSONAL SERVICE, enclosed in sealed envelope(s): I delivered such envelope(s) by hand to the offices of the addressee(s).

BY FACSIMILE: I caused the foregoing document(s) to be served by facsimile transmission from sending facsimile machine number (310) 282-8903 to each interested party at the facsimile machine telephone number shown. Each transmission was reported as complete and without error. A transmission report was properly issued by the sending facsimile machine for each interested party served.

Executed on April 25, 2000, at Los Angeles, California.

(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.


Donna L. Simpson