

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**
Honorable Philip A. Brimmer

Civil Action No.: 13-cv-2481-PAB-CBS

ROBERTO FUENTES, individually and on behalf of all others similarly situated,

Plaintiff,

v.

KROENKE SPORTS & ENTERTAINMENT, LLC, a Delaware limited liability company, **D/B/A TICKETHORSE, LLC**, a Colorado limited liability company, **WORLD WRESTLING ENTERTAINMENT, INC.**, a Delaware corporation, and **JOHN DOE DEFENDANTS**,

Defendants.

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL OF LAWSUIT AGAINST
DEFENDANT WORLD WRESTLING ENTERTAINMENT, INC. WITHOUT PREJUDICE**

PLEASE TAKE NOTICE that Plaintiff Roberto Fuentes, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, hereby voluntarily dismisses this lawsuit against Defendant World Wrestling Entertainment, Inc. ("WWE") without prejudice.

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

(a) Voluntary Dismissal.

(1) By the Plaintiff.

(A) *Without a Court Order.* Subject to Rules 23(e), 23.1(c), 23.2 and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or

(ii) a stipulation of dismissal signed by all parties who have appeared.

(B) *Effect.* Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits.

In this case, WWE has neither answered Plaintiff's Complaint nor served a motion for summary judgment. In addition, no class has been certified in this matter so Rule 23's exceptions do not apply. Likewise, this case does not involve any Receiver so as to implicate Rule 66.

Accordingly, Plaintiff Fuentes hereby dismisses these proceedings without prejudice as to Defendant World Wrestling Entertainment, Inc. in accordance with Rule 41(a)(1).

/s/ Steven L. Woodrow
One of Plaintiff's Attorneys

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Attorneys for Plaintiff and the Putative Class

CERTIFICATE OF SERVICE

I, Steven L. Woodrow, an attorney, hereby certify that on January 10, 2014, I served the above and foregoing ***Plaintiff's Notice of Voluntary Dismissal of Lawsuit Against Defendant World Wrestling Entertainment, Inc. Without Prejudice*** by causing a true and accurate copy of such paper to be filed with the Clerk of the Court and transmitted to all counsel of record via the Court's CM/ECF electronic filing system.

/s/ Steven L. Woodrow