

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Nathan Abshire,

Civil Case No. 13-cv-00380 JNE-JSM

Plaintiff,

v.

**RULE 41 NOTICE OF
DISMISSAL**

Hard Drive Productions, Inc.,

Defendant.

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff Nathan Abshire, through his undersigned counsel, hereby dismisses its claims against Defendant Hard Drive Productions, Inc. pleaded in the above-entitled action. Defendant has filed no answer or motion for summary judgment in this case. Attached hereto and incorporated by reference is Defendant's Covenant Not to Sue Plaintiff.

BRIGGS AND MORGAN, P.A.

Dated: March 14, 2013

By s/ Scott M. Flaherty
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***ATTORNEYS FOR PLAINTIFF
NATHAN ABSHIRE***

COVENANT NOT TO SUE

This Covenant Not to Sue ("Covenant") is made by Defendant Hard Drive Productions, Inc. ("Hard Drive"), an Arizona Corporation, and is effective as of March 7, 2013.

RECITALS

WHEREAS, Nathan Abshire commenced a civil action 0:13-cv-00380-JNE-JSM against Defendant Hard Drive in the United States District Court for the District of Minnesota ("the Complaint") asserting a claim for declaratory relief of non-infringement with respect to claims raised in another action originally brought in the United States District Court for the District of Columbia, 1:11-cv-01741-JDB-JMF (the "1741 Action").


WHEREAS, Hard Drive represents and warrants that it owns the copyright in the work identified in the 1741 Action (the "Work");

WHEREAS, Hard Drive wishes to conserve resources relating to the enforcement of its copyright in the Work;

NOW, THEREFORE, Hard Drive covenants as follows:

COVENANT

Hard Drive for and on behalf of itself, its parents, subsidiaries, divisions, related companies, affiliated companies, licensees, independent contractors, assigns, and/or other related business entities, as well as any of their predecessors, successors, directors, officers, employees, agents, distributors, attorneys, representatives, and employees of such entities, hereby unconditionally and irrevocably covenants to refrain from making any claim(s) or demand(s), or from commencing causing, or permitting to be prosecuted any action in law or equity, against Nathan Abshire, on account of any possible cause of action based on, relating to, or arising from Hard Drive's allegations in its complaint filed in the 1741 Action.


By: Paul Pilcher
Title: President
Hard Drive Productions, Inc.