

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-01921-JLK

ARETHA FRANKLIN,

Plaintiff,

v.

ALAN ELLIOTT D/B/A AL'S RECORDS AND TAPES,

Defendant.

**PLAINTIFF ARETHA FRANKLIN'S NOTICE OF VOLUNTARY DISMISSAL OF
DEFENDANT NATIONAL FILM PRESERVE, LTD A/K/A THE TELLURIDE FILM
FESTIVAL PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i)**

Plaintiff Aretha Franklin submits this Notice of Voluntary Dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). Plaintiff voluntarily dismisses all claims and allegations in this civil action against Defendant National Film Preserve, LTD ("Telluride Film Festival"), and in support thereof, states as follows:

1. Plaintiff hereby discusses without prejudice Plaintiff's claims against Defendant Telluride Film Festival. This Voluntary Notice of Dismissal applies exclusively to Plaintiff's claims against Defendant Telluride Film Festival and shall not impact Plaintiff's claims against any other Defendant.

2. Defendant Telluride Film Festival has not filed an answer or motion for summary judgment; accordingly, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), this Notice is effective to dismiss this Defendant.

3. On September 4, 2015 this Court issued its Order on Plaintiff Aretha Franklin's Emergency Motion for Temporary Restraining Order/Preliminary Injunction enjoining the Telluride Film Festival from showing, displaying, or otherwise publicly releasing or projecting the film *Amazing Grace* for 14 days. Plaintiff's motion sought an injunction to prevent the Telluride Film Festival from publicly displaying the film. The 2015 Telluride Film Festival has concluded, and as a result of this Court's September 4, 2015 Order, the film was not screened. Thus, there is no further need for a hearing on Plaintiff's Motion for Preliminary Injunction as the motion is now moot.

Dated: September 14, 2015

Respectfully submitted,

s/ N. Reid Neureiter

N. Reid Neureiter
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Attorneys for Plaintiff Aretha Franklin

CERTIFICATE OF SERVICE (CM/ECF)

I HEREBY CERTIFY that on September 14, 2015, I electronically filed the foregoing **PLAINTIFF ARETHA FRANKLIN'S NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANT NATIONAL FILM PRESERVE, LTD A/K/A THE TELLURIDE FILM FESTIVAL PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i)** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following email addresses:

N. Reid Neureiter
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s/ N. Reid Neureiter

N. Reid Neureiter