

# Jacobsen Declaration Exhibit AI

*ERM*

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FILED 02 DEC 20 15 28 2006 *D*

**Attorneys for Plaintiffs**

UNITED STATES DISTRICT COURT  
 DISTRICT OF OREGON

**MATTHEW A. KATZER**, an individual, and  
**KAMIND ASSOCIATES, INC.**, d/b/a Kam  
 Industries, an Oregon corporation,

Plaintiffs,

v.

**FRIEWALD SOFTWARE**, a German entity,  
 d/b/a Railroad & Co.; **LOCAR, INC.**, an  
 Alabama corporation, d/b/a Oak Mountain  
 Hobbies; **ALEXANDER KALESNIKOV**, an  
 individual, d/b/a DCC Train;  
**CHARLES DAVIS**, an individual, d/b/a Oak  
 Tree Systems LLC; and **ANTHONY PARISI**,  
 an individual, d/b/a Tony's Train Xchange,

Defendants.

Civil No. 02-CV-1292-HU

**PLAINTIFFS' NOTICE OF DISMISSAL  
 WITHOUT PREJUDICE**

**PATENT CASE**

Pursuant to Fed. R. Civ. P. 41(a)(1), plaintiffs hereby voluntarily dismiss the  
 above captioned action without prejudice. This dismissal is being filed prior to service of the  
 Complaint upon the defendant.

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*1/17/06  
 with the  
 defendant's name*

*7*

**CR 7.1 CERTIFICATION**

Plaintiff has not served defendants with the Complaint, and defendants are therefore unaware of this action.

DATED this 20<sup>th</sup> day of December, 2002.

Respectfully submitted,

CHERNOFF, VILHAUER, MCCLUNG & STENZEL, LLP

By: 

Kevin L. Russell, OSB No. 93485  
Of Attorneys for Plaintiffs