

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

MALIBU MEDIA, LLC	:	Case No.: 1:12-cv-01117-WTL-MJD
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
MICHAEL HARRISON,	:	
	:	
Defendant.	:	

**DEFENDANT’S NOTICE OF WITHDRAWAL OF DEFENDANT’S MOTION FOR
LEAVE TO FILE MOTION *IN LIMINE* [DKT. 355]**

Michael Harrison (“Defendant”) respectfully files herein his Notice of Withdrawal of Defendant’s Motion for Leave to File Motion *In Limine* [Dkt. 355], and notifies the Court and Malibu Media, LLC (“Plaintiff”) that he withdraws his Motion for Leave to File Motion *In Limine* [*Id.*].

Defendant will instead file a single (more efficient) motion pursuant to Rule 37(c) of the Federal Rules of Civil Procedure to exclude Plaintiff from using on a motion, at a hearing, or at the trial, Plaintiff’s expert’s new opinions that Plaintiff has not not disclosed in compliance with Rule 26(a) or (e). *See* Fed. R. Civ. P. 37(c)(1).

Respectfully Submitted,

/s/ Gabriel J. Quearry
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Attorney for Defendant

Michael Harrison

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2015, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties by operation of the Court's electronic filing system.

/s/ Gabriel J. Quearry _____
Gabriel J. Quearry