

Jeffrey Vernon Merkey  
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Plaintiff

**FILED**  
U.S. DISTRICT COURT  
2005 SEP 27 P 3:56  
DISTRICT OF UTAH

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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

JEFFREY VERNON MERKEY  
Plaintiff,

**PLAINTIFF JEFFREY VERNON  
MERKEY'S FINAL NOTICE OF  
DISMISSAL**

vs.

PAMELA JONES a.k.a. GROKLAW.COM,  
a.k.a. OSRM  
and GROKLAW.NET

Case No: 2:05-cv-521 DAK

Honorable Dale A. Kimball  
Magistrate Samuel L. Alba

AL PETROFSKY a.k.a. SCOFACFS.ORG  
DOES 1 through 20,

Defendants.

Plaintiff submits Notice of Dismissal pursuant to Federal Rule of Civil Procedure 41 of the remaining defendants:

Pamela Jones  
Groklaw.com and Groklaw.net  
Al Petrofsky

Plaintiff dismisses the remaining claims against defendants. Sufficient evidence has been obtained relative to the actions of the named defendants to bring criminal actions on State Court against the remaining defendants for criminal stalking. Plaintiff is now pursuing criminal prosecution in the various states these offenses occurred. As to

defendant Jones and Petrofsky, both defendants are currently engaged in distribution of copyrighted materials and criminal copyright infringement with regard to some of their posted materials. The State of California, Yahoo, the States of Washington, Oregon, and Florida have all received criminal complaints and are investigating these incidents. I have very much appreciated the Courts patience in this matter. Yahoo, Inc. and the SCOX message board which was the source of a large portion of this on-line harassment is taking severe actions regarding these matters and this situation appears it will soon have an end. As I am a computer scientist, I would rather focus my time on pursuits other than litigation.

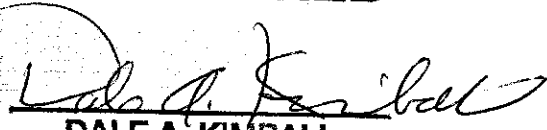
It is also asserted, based upon information and belief, that the EFF and several of its employees may have been involved in some of this on-line stalking. These matters are better addressed by Law Enforcement at this point.

As such, I dismiss all defendants from this action without prejudice and I sincerely thank the Court for it's graciousness, professionalism, and diligence in assisting me in this matter. With regard to the Issues pertaining to Novell and myself, these matters are still the subject of an active case in State Court for which the 4<sup>th</sup> Judicial District Court has retained Jurisdiction. Those matters which deal to or relate to the matters brought in State Court will be addressed there should the need arise.

With deep respect and gratitude to the Court.

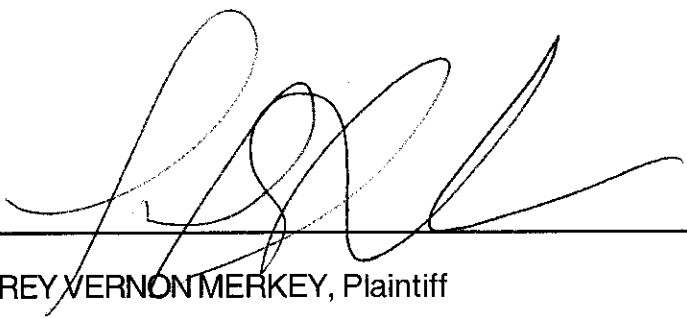
DATED this 20 day of September, 2005.

**SO ORDERED**

  
**DALE A. KIMBALL**

**United States District Judge**

Date September 27, 2005

A handwritten signature in black ink, appearing to read 'J. Merkey', is written over a solid horizontal line. The signature is fluid and cursive.

JEFFREY VERNON MERKEY, Plaintiff

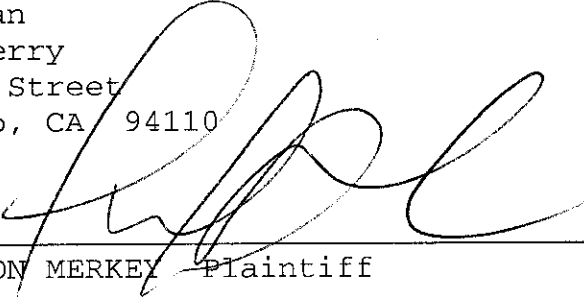
CERIFICATE OF SERVICE/MAILING

I certify that a true and correct copy of JEFFREY VERNON  
MERKEY'S FINAL NOTICE OF DISMISSAL in the styled action of  
2:05CV521DAK filed in the US District Court, District of Utah,  
Central Division was mailed to all Parties or delivered by hand  
or Faxed to:

Alan P. Petrofsky  
3618 Alameda  
Apt 5  
Menlo Park, CA 94025

Margaret Plane  
355 North 300 West  
Salt Lake City, UT 84103

Kurt Opsahl  
Matt Zimmerman  
Corynne McSherry  
454 Shotwell Street  
San Francisco, CA 94110

  
\_\_\_\_\_  
JEFFREY VERNON MERKEY Plaintiff

*9/20/05*