

IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO

ROBERT J. FITRAKIS,

Plaintiff,

v.

JON HUSTED
In his official capacity as
Ohio Secretary of State,

Case No. 12CV01 3888

Judge Serrott

and

ELECTION SYSTEMS & SOFTWARE, INC.,

Defendants.

NOTICE OF DISMISSAL OF 42 U.S.C. §1983 FEDERAL CAUSE OF ACTION

Plaintiff hereby gives notice of his dismissal, without prejudice, of his 42 U.S.C. §1983 federal cause of action and any and all federal claims contained in this complaint. Plaintiff will proceed with his state claims against these defendants in this case.

Respectfully submitted,

s/ Clifford O. Arnebeck, Jr.

Clifford O. Arnebeck, Jr. (0033391)
Trial Attorney for Plaintiff
1021 East Broad Street
Columbus, OH 43205
Telephone: (614) 224-8771
E-Mail: clifford.arnebeck@gmail.com

Brett A. Colbert, Esq. (0088392)
Attorney for Plaintiff
1021 East Broad Street
Columbus, OH 43205
Telephone: (614) 595-8227
E-Mail: bac5665@gmail.com

Certificate of Service

This is to certify that a copy of the foregoing was delivered to counsel for defendants through the court's electronic filing system this 20th day of November 2012.

s/ Clifford O. Arnebeck, Jr.

Clifford O. Arnebeck, Jr.