IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DATATERN, INC. Plaintiff, **v.** **1. UNITED AIR LINES, INC.;** **2. UAL CORPORATION;** **3. AMERICAN AIRLINES, INC.;** **4. AMR CORPORATION;** **5. AMERICAN EXPRESS COMPANY;** **6. DISCOVER FINANCIAL SERVICES, INC.;** **7. HERTZ CORPORATION;** **8. AVIS BUDGET GROUP, INC.;** **9. WELLS FARGO & COMPANY; and** **10. WELLS FARGO BANK, N.A.** Defendants.	**Case No. 2:09-cv-00053 TJW-CE** JURY TRIAL DEMANDED

NOTICE OF DISMISSAL

COMES NOW Plaintiff, DataTern, Inc., and hereby notifies the Court pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) that it voluntarily dismisses WITHOUT PREJUDICE Defendant AMR Corporation only. Plaintiff has not previously dismissed any

federal or state court action based on or including the same claim against Defendant. Each side to bear its own costs and fees.

Respectfully submitted,

DATATERN INC.

Dated: April 15, 2009

By: /s/ Marc A. Fenster

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CERTIFICATE OF SERVICE

I certify that counsel of record who are deemed to have consented to electronic service are being served on April 15, 2009, with a copy of this document via the Court's CM/ECF systems per Local Rule CV-5(a)(3). Any other counsel with be served by electronic mail, facsimile, overnight delivery and/or First Class Mail on this date.

Dated: April 15, 2009

/s/ Marc A. Fenster
Marc A. Fenster