

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

FAIR FIGHT, INC., SCOTT BERSON,  
JOCELYN HEREDIA, and JANE  
DOE,

*Plaintiffs,*

v.

TRUE THE VOTE, INC., CATHERINE  
ENGELBRECHT, DEREK  
SOMERVILLE, MARK DAVIS,  
MARK WILLIAMS, RON JOHNSON,  
JAMES COOPER, and JOHN DOES 1-  
10,

*Defendants.*

Civil Action No.  
2:20-cv-00302-SCJ

**MOTION TO VOLUNTARILY DISMISS PLAINTIFF JOCELYN  
HEREDIA AND DEFENDANTS JOHN DOES 1-10**

Plaintiff Jocelyn Heredia moves under Federal Rule of Civil Procedure 21 to voluntarily dismiss her from this action. Fed. R. Civ. P. 21 (“On motion or on its own, the court may at any time, on just terms, add or drop a party.”). Because Ms. Heredia does not intend to further prosecute her claims in this action and her dismissal will not prejudice any party, this Court may dismiss her. *See In re Snap Inc. Sec. Litig.*, 394 F. Supp. 3d 1156, 1157 (C.D. Cal. 2019) (granting plaintiff’s motion to dismiss himself under Rule 21 where there is no prejudice to the moving

party); *Endress v. Gentiva Health Servs., Inc.*, 278 F.R.D. 78, 81 (E.D.N.Y. 2011) (same).

Plaintiffs Fair Fight, Inc., Scott Berson, and Jane Doe separately move to voluntarily dismiss unnamed Defendants John Does 1-10 from this action. Now that discovery has closed, Plaintiffs do not intend to seek relief against any other Defendant and dismissal under Rule 21 is proper. *See, e.g., Adams v. City of Camden*, 461 F. Supp. 2d 263, 271 (D.N.J. 2006) (court utilizing discretion under Rule 21 to dismiss John Doe Defendants before trial); *Church of Universal Love & Music v. Fayette Cnty.*, 892 F. Supp. 2d 736, 749 (W.D. Pa. 2012) (same).

This Motion does not affect the claims brought by the remaining Plaintiffs in this action. Counsel for Plaintiffs have conferred with counsel for Defendants and counsel for the United States in advance of filing the present motion; both take no position on this motion.

Respectfully submitted, this 31st day of August, 2023.

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**CERTIFICATE OF COMPLIANCE**

Pursuant to LR 7.1(D), N.D. Ga., I hereby certify that the foregoing ***Motion to Voluntarily Dismiss Plaintiff Jocelyn Heredia and Defendants John Does 1-10*** has been prepared in accordance with the font type and margin requirements of LR 5.1, N.D. Ga., using a font type of Times New Roman and a point size of 14.

This 31st day of August, 2023

/s/ Uzoma N. Nkwonta

Uzoma N. Nkwonta  
*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the within and foregoing ***Motion to Voluntarily Dismiss Plaintiff Jocelyn Heredia and Defendants John Does 1-10*** with the Clerk of Court using the CM/ECF system, which will automatically send-e-mail notification to all counsel of record.

This 31st day of August, 2023.

/s/ Uzoma N. Nkwonta

Uzoma N. Nkwonta  
*Counsel for Plaintiffs*