

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

MALIKIE INNOVATIONS LTD.,
KEY PATENT INOVVATIONS LTD.,
Plaintiff,

v.

FOUNDRY DIGITAL LLC, FORTITUDE
MINING, LLC, RIOT PLATFORMS, INC.,
CIPHER DIGITAL INC. F/K/A/ CIPHER
MINING INC.,
Defendants.

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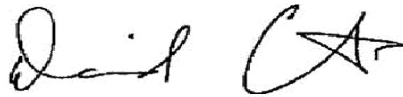
NO. MO:25-CV-00567

ORDER

Before the Court is Plaintiff's Notice of Voluntary Dismissal of Defendant **FOUNDRY DIGITAL, LLC** (Doc. 145) filed August 28, 2026, without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i). (*Id.*). Rule 41(a)(1)(A)(i) allows a plaintiff to voluntarily dismiss an action without a court order by filing a notice of dismissal before the opposing party serves an answer or a motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i). The Defendant has not served an answer or a motion for summary judgment. Plaintiff's notice is therefore "self-effectuating and terminates the case in and of itself; no order or other action of the district court is required." *In re Amerijet Int'l, Inc.*, 785 F.3d 967, 973 (5th Cir. 2015), *as revised* (May 15, 2015). This dismissal is without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(B) **This Dismissal only applies to Defendant FOUNDRY DIGITAL, LLC.**

It is so **ORDERED**.

SIGNED this 31st day of August, 2026.



DAVID COUNTS
UNITED STATES DISTRICT JUDGE