

**NIGHT BOX
FILED**
JK
JAN 19 2004

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CLARENCE MADDOX
CLERK, USDC / SDFL / MIA

Case No. 01-6369-CIV-LENARD/TURNOFF

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

FAMILIES ON LINE CORPORATION, et al.,

Defendants.

NOTICE OF FILING VOLUNTARY DISMISSAL WITH PREJUDICE

PLEASE TAKE NOTICE that Plaintiff Securities and Exchange Commission (“SEC”), pursuant to Rule 41(a), Federal Rule of Civil Procedure, hereby files this Notice of Filing Voluntary Dismissal With Prejudice as to the SEC’s remaining claims in this matter, specifically, the SEC’s claims for disgorgement and civil penalties against Defendants Families On Line Corporation (“FOL”), Mark C. Thurman and Robert D. Fiene.

FOL, Thurman and Fiene have been permanently enjoined by this Court pursuant to Judgments entered by their consents, which Judgments provided for disgorgement and civil penalties. However, FOL is defunct and its assets are under the control of the Court-appointed Receiver. Defendants Thurman and Fiene have been criminally convicted in a parallel criminal proceeding, are incarcerated and have been ordered to pay restitution in the amounts of \$4.1 million and over \$3.4 million, respectively. Accordingly, the SEC hereby voluntarily dismisses


41
RA

its remaining monetary claims against FOL, Thurman and Fiene, and advises this Court that the SEC has no further pending issues in this case, and the only remaining issues in this matter pertain to the receivership over FOL and distribution of its limited assets to investors.

Respectfully submitted,

Dated: January 9, 2004

By:


Teresa J. Verges
Regional Trial Counsel
Florida Bar No. 997651

Attorney for Plaintiff
SECURITIES AND EXCHANGE COMMISSION
801 Brickell Avenue
Suite 1800
Miami, Florida 33131
Telephone: (305)982-6384
Facsimile: (305) 536-4154

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on this 9th day of January 2004 by U.S. Mail upon the following persons:

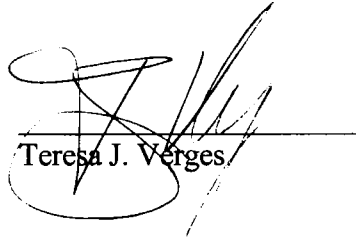
Mark R. King, Esq.
Weintraub, Rosen & King, P.A.
Counsel for Receiver
800 Brickell Avenue, Suite 1270
Miami, Florida 33131

Irwin G. Lichter, Esq.
321 N.E. 26th Street
Miami, Florida 33137
Criminal Attorney for Mark Thurman

Hampton C. Peterson
1120 South Federal Highway, Suite 4
Fort Lauderdale, FL 33316
Criminal Attorney for Robert Fiene

Mark C. Thurman, Inmate #55674-004
Lexington FMC
3301 Leetown Road
Lexington, KY 40511

Robert D. Fiene, Inmate #55673-004
Miami FCI
15801 SW 137th Avenue
Miami, FL 33177


Teresa J. Verges