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|--------|--|--------|---------------------------|
| To:    | David M. O'Dens<br>SettlePou   | Fax:   | 214-526-4145              |
| From:  | Stacey Slaughter,<br>Legal Assistant   | Pages: | 4 (including cover sheet) |
| Phone: | 214-692-6200   | Date:  | January 27, 2012          |
| Re:    | <i>American Heritage Capital, L.P. v. Dinah Gonzalez</i> , Cause No. DC-11-13741, 68 <sup>th</sup><br>Judicial District, Dallas County, Texas. |        |                           |

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Urgent  For Review  Please Comment  Please Reply  Please Recycle

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**MESSAGE:**

Attached please find a file-stamped copy Plaintiff's Notice of Nonsuit of Defendant Dinah Gonzalez Without Prejudice.

Please advise our office when you have canceled the continued hearing on Defendant's Motion to Dismiss currently scheduled for January 30, 2012.

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**FILED**

CAUSE NO. DC-11-13741

2012 JAN 27 PM 2: 25

**AMERICAN HERITAGE CAPITAL, LP**

**Plaintiff,**

**v.**

**DINAH GONZALEZ and ALAN GONZALEZ,**

**Defendants.**

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**GARY FITZSIMMONS  
DISTRICT CLERK  
DALLAS CO., TEXAS**

**IN THE DISTRICT COURT**

**DEPUTY  
68<sup>th</sup> JUDICIAL DISTRICT**

**DALLAS COUNTY, TEXAS**

**NOTICE OF NON-SUIT OF DEFENDANT DINAH GONZALEZ  
WITHOUT PREJUDICE**

TO THE HONORABLE JUDGE OF SAID COURT:

Pursuant to Texas Rule of Civil Procedure 162, Plaintiff American Heritage Capital, LP ("Plaintiff") hereby nonsuits without prejudice its claims against Defendant Dinah Gonzalez ("Ms. Gonzalez") only in the above-referenced action.

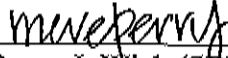
Ms. Gonzalez has appeared and responded to Plaintiff's petition. Ms. Gonzalez has no pending claims for affirmative relief against Plaintiff. This Notice is provided at a time before Plaintiff has introduced all of its evidence. Plaintiff now takes a nonsuit without prejudice of all of its claims against Ms. Gonzalez only. Plaintiff's claims against other defendants are not nonsuited by this Notice.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays for an Order of Nonsuit of Defendant Dinah Gonzalez Without Prejudice, effective on the date this Notice was filed.

*[Remainder of Page Intentionally Left Blank – Signatures to Follow]*

Dated: January 27, 2012

Respectfully submitted,

  
 Bryan J. Wick (SBN 24003169)  
 Seema Tendolkar (SBN 24053509)  
 Meredith L. Perry (SBN 24075622)  
**WICK PHILLIPS GOULD & MARTIN LLP**  
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 Dallas, Texas 75201  
 (214) 692-6200 (telephone)  
 (214) 692-6255 (facsimile)


*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on counsel of record pursuant to the Texas Rules of Civil Procedure on January 27, 2012, as follows:

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 SettlePou  
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*Counsel for Defendants Dinah Gonzalez and Alan Gonzalez*

  
 Meredith L. Perry

**CAUSE NO. DC-11-13741**

**AMERICAN HERITAGE CAPITAL, LP**

**Plaintiff,**

**v.**

**DINAH GONZALEZ and ALAN  
GONZALEZ,**

**Defendants.**

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**IN THE DISTRICT COURT**

**68<sup>th</sup> JUDICIAL DISTRICT**

**DALLAS COUNTY, TEXAS**

**ORDER GRANTING NON-SUIT OF DEFENDANT DINAH GONZALEZ  
WITHOUT PREJUDICE**

The Court, having considered Plaintiff's Notice of Non-Suit of Defendant Dinah Gonzalez Without Prejudice, hereby ORDERS that all claims asserted in this action against Defendant Dinah Gonzalez are hereby DISMISSED WITHOUT PREJUDICE. Plaintiff's claims against other defendants are not dismissed by this Order.

It is FURTHER ORDERED THAT all costs, including attorney's fees, incurred are taxed to the party who incurred them.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
HON. JUDGE PRESIDING