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CAUSE NO. DC-11-13741-C

AMERICAN HERITAGE CAPITAL, LP,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	68 <sup>TH</sup> JUDICIAL DISTRICT
	§	
DINAH GONZALEZ and ALAN,	§	
GONZALEZ,	§	
	§	
Defendants.	§	DALLAS COUNTY, TEXAS

**ORDER GRANTING MOTION TO DISMISS**

On March 5, 2012, the Motion to Dismiss filed by Defendant, Alan Gonzalez, pursuant to § 27.003 of the Texas Civil Practice and Remedies Code, came on for hearing before the Court.

Plaintiff, American Heritage Capital, LP, appeared by and through its attorneys of record, Bryan J. Wick and Jeffrey W. Hellberg, Jr. Defendant, Alan Gonzalez, appeared by and through his attorney of record, David M. O'Dens.

The Court, having reviewed the motion, the pleadings in this action, the evidence filed by the parties and the arguments of counsel, finds that the motion should be granted.

IT IS THEREFORE ORDERED that the Motion to Dismiss filed by Defendant, Alan Gonzalez, pursuant to § 27.003 of the Texas Civil Practice and Remedies Code, is hereby granted and this action is dismissed against Defendant, Alan Gonzalez, with prejudice to its refiling.

IT IS FURTHER ORDERED that the Court will conduct a hearing on March 9<sup>th</sup>, 2012, at 9:40 a.m., in the Courtroom of the 68<sup>th</sup> Judicial District Court of Dallas County, Texas, to determine the damages and costs to be awarded Defendant, Alan Gonzalez, pursuant to § 27.009 of the Texas Civil Practice and Remedies Code.

Dated: March 6<sup>th</sup>, 2012.

*M*

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Honorable Judge Presiding

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