

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION**

JOHN WARD, JR.

Plaintiff

V.

**CISCO SYSTEMS, INC. and RICK
FRENKEL**

Defendants.

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No. 08-4022

JURY TRIAL DEMANDED

**BRIEF IN SUPPORT OF PLAINTIFF'S MOTION FOR DISMISSAL
WITHOUT PREJUDICE AS TO DEFENDANT RICK FRENKEL**

EXHIBIT 1

FILED
GREGG COUNTY, TEXAS

MAR 13 2008

O'CLOCK
By BARBARA DUNCAN, DISTRICT CLERK
Deputy

NO. 2007-2502-A

JOHN WARD, JR.

Plaintiff

V.

**CISCO SYSTEMS, INC. and
RICHARD FRENKEL**

Defendants.

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IN THE DISTRICT COURT

188th JUDICIAL DISTRICT

OF GREGG COUNTY, TEXAS

NOTICE OF NON-SUIT OF DEFENDANTS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Plaintiff and files this Notice of Non-Suit without Prejudice as to Defendants Cisco Systems, Inc. and Richard Frenkel, and as grounds would show unto the Court as follows:

I.

Plaintiff no longer desires to prosecute this action against Defendants. Plaintiff hereby gives notice to the Court and to all parties to the suit that he is taking a nonsuit of his case against Defendant Cisco Systems, Inc. and Richard Frenkel, without prejudice, effective immediately on the filing of this notice on this the 13th day of March, 2008.

Respectfully submitted,

A handwritten signature in black ink that reads "Nicholas H. Patton". The signature is written in a cursive style and is positioned above a horizontal line.

Nicholas H. Patton
State Bar No. 15631000

Patton, Tidwell & Schroeder, LLP
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Texarkana, Texas 75503
Tel: (903) 792-7080
Fax: (903) 792-8233
Email: nickpatton@texaskanlaw.com

ATTORNEY FOR PLAINTIFF

COPY

FILED
GREGG COUNTY, TEXAS

MAR 13 2008

NO. 2007-2502-A

10:18 ^{OCLOCK}
BARBARA DUNCAN, DISTRICT CLERK
Deputy

JOHN WARD, JR.

Plaintiff

V.

**CISCO SYSTEMS, INC. and
RICHARD FRENKEL**

Defendants.

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IN THE DISTRICT COURT

188th JUDICIAL DISTRICT

OF GREGG COUNTY, TEXAS

ORDER

CAME ON TO BE CONSIDERED Plaintiff's Notice of Non-suit of Defendants Cisco Systems, Inc. and Richard Frenkel. After reviewing the pleadings on file, the Court is of the opinion that the Plaintiff's motion is meritorious and should be GRANTED without prejudice.

THEREFORE, IT IS ORDERED that Plaintiff's Notice of Nonsuit of Defendants Cisco Systems, Inc. and Richard Frenkel is GRANTED without prejudice.

Signed this 13 day of March, 2008.



DISTRICT JUDGE PRESIDING