

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division

CASE NO.: 06-21748-CIV-MARTINEZ-BANDSTRA

MARK J. GAINOR and ELYSE GAINOR,

Plaintiffs,

v.

SIDLEY AUSTIN LLP, et al,

Defendants.

**NOTICE OF DISMISSAL WITH PREJUDICE OF PLAINTIFFS' CLAIMS AGAINST
ARTHUR ANDERSEN LLP, MICHAEL S. MARX, AND P. ANTHONY NISSLEY**

Plaintiffs, Mark and Elyse Gainor, through their respective counsel and pursuant to Federal Rule of Civil Procedure 41(a)(1)(i), hereby dismiss with prejudice all the claims made by Plaintiffs against Defendants, Arthur Andersen LLP, Michael S. Marx, and P. Anthony Nissley in the above-captioned action, with each party to bear its own attorney's fees and costs.

It is the express intent of the Parties hereto that none of the claims against any other parties to this litigation are to be satisfied or dismissed, in whole or in part, by this Notice or by the dismissal of the claims against the Andersen Defendants.

Dated: September 5, 2007

Respectfully submitted,

MARK J. GAINOR and ELYSE GAINOR

By: s/ Richard Benjamin Wilkes

Richard Benjamin Wilkes

E-mail: rwilkes@rbwilkes.com

Richard Candelora

RICHARD BENJAMIN WILKES

ATTORNEYS AT LAW

600 South Magnolia Avenue, Suite 200

Tampa, Florida 33606

Telephone: (813) 254-6060

Facsimile: (813) 254-6088