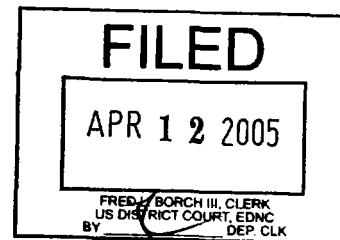


THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:05-CV-48 FL (1)



RICHARD P. NORDAN, as Ancillary
Administrator for the separate Estates of
STEPHEN S. HELVENSTON, MIKE R.
TEAGUE, JERKO GERALD ZOVKO and
WESLEY J.K. BATALONA,

Plaintiffs,

v.

BLACKWATER SECURITY
CONSULTING, LLC, a Delaware Limited
Liability Company; BLACKWATER
LODGE AND TRAINING CENTER, INC.,
a Delaware Corporation, JUSTIN L.
MCQUOWN, an individual; and THOMAS
POWELL, an individual,

Defendants.

NOTICE OF VOLUNTARY DISMISSAL
OF DEFENDANT THOMAS POWELL
ONLY

NOTICE IS HEREBY GIVEN that pursuant to Federal Rule of Civil Procedure
41(a)(1)(i), Plaintiff voluntarily dismisses the above-captioned action against Defendant
THOMAS POWELL ONLY, without prejudice.

This 11th day of April 2005.

CALLAHAN & BLAINE, APLC

By:

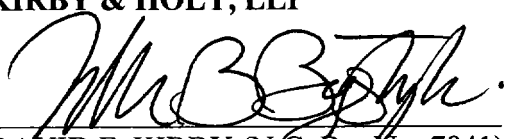
[Handwritten signature]

DANIEL J. CALLAHAN (Cal. Bar No. 91490)
BRIAN J. McCORMACK (Cal. Bar No. 167547)
MARC P. MILES (Cal. Bar No. 197741)
3 Hutton Centre Drive, Suite 900

Santa Ana, California 92707
(714) 241-4444
Fax: (714) 241-4445
Attorneys for Plaintiff
RICHARD P. NORDAN, as the Ancillary
Administrator of the separate Estates of STEPHEN
S. HELVENSTON, MIKE R. TEAGUE, JERKO
GERALD ZOVKO and WESLEY J.K.
BATALONA

KIRBY & HOLT, LLP

By:


DAVID F. KIRBY (N.C. Bar No. 7841)
WILLIAM B. BYSTRYNSKI (N.C. Bar No. 20883)
3201 Glenwood Avenue, Suite 100
Raleigh, North Carolina 27612
(919) 881-2111
Fax: (919) 781-8630
Attorneys for Plaintiff
RICHARD P. NORDAN, as the Ancillary
Administrator of the separate Estates of STEPHEN
S. HELVENSTON, MIKE R. TEAGUE, JERKO
GERALD ZOVKO and WESLEY J.K.
BATALONA

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the foregoing **Notice of Voluntary Dismissal of Defendant Thomas Powell Only** in the above-entitled action on all of parties to this cause by depositing a copy, postage prepaid, in the United States Mail, addressed as follows:

Fred F. Fielding
Margaret A. Ryan
Attorneys for Blackwater Security Consulting, LLC and Blackwater Lodge and Training Center, Inc.
Wiley Rein & Fielding LLP
1776 K Street, NW
Washington, DC 20006

Kirk G. Warner
Mark A. Ash
Attorneys for Blackwater Security Consulting, LLC and Blackwater Lodge and Training Center, Inc.
Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP
P. O. Box 2611
Raleigh, NC 27602

Ralph J. Caccia
William C. Crenshaw
Don R. Berthiaume
Attorneys for Justin L. McQuown
Powell Goldstein, LLP
901 New York Avenue, NW, 3rd Floor
Washington, DC 20001

Patricia L. Holland
Rachel Esposito
Attorneys for Justin L. McQuown
Cranfill, Sumner & Hartzog, L.L.P.
P. O. Box 27808
Raleigh, NC 27611-7808

This is 12th day of April, 2005.



William B. Bystrynski
Kirby & Holt, L.L.P.