

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

DELIVERANCE POKER, LLC,

Plaintiff,

vs.

**TILTWARE, LLC,
MICHAEL MIZRACHI,**

Defendants.

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CIVIL ACTION NO. 1:10-CV-00664-JRN

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

PLEASE TAKE NOTICE that Plaintiff Deliverance Poker (“Plaintiff”), pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), hereby voluntarily dismisses all claims in this action *without prejudice* as to Defendant Tiltware LLC, only.

Defendant Tiltware LLC has neither answered Plaintiff’s Complaint nor filed a motion for summary judgment. Accordingly, the Plaintiff’s complaint and causes of action against Tiltware LLC may be dismissed without prejudice and without an Order of the Court.

Dated: October 8, 2010

Respectfully submitted,

By: /s/ William Pieratt Demond

William Pieratt Demond
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**ATTORNEY FOR PLAINTIFF
DELIVERANCE POKER, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on the 8 th day of October 2010, I electronically filed the above and foregoing *Notice of Voluntary Dismissal Without Prejudice* with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following counsel for Defendant:

John P. Henry
The Law Offices of John Henry, P.C.
P.O. Box 1838
Round Rock, Texas 78680

 /s/ William Pieratt Demond
William Pieratt Demond