

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

VIRGIE ARTHUR,

Plaintiff,

V.

HOWARD K. STERN, CBS STUDIOS,
INC., and KPRC HOUSTON,

Defendants.

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Civil Action No. 4:07-CV-03742

Jury

NOTICE OF WITHDRAWAL OF SUBPOENA

TO: Lyndal Harrington

Charles L. Babcock
Nancy Hamilton
Jackson Walker, LLP
1401 McKinney Street, Suite 1900
Houston, Texas 77010

and

L. Lin Wood
Powell Goldstein, LLP
One Atlantic Center, 14th Floor
Atlanta, GA 30309

Plaintiff, Virgie Arthur, has this day received non-party Lyndal Harrington's Amended Motion to Quash and/or for Protection and Extention of Time Regarding March 14 Subpoena ("Motion"). The cover letter accompanying the letter states that Ms. Harrington is having a difficult time finding legal help. The Motion requests more time to find legal help and to deal with the subpoena. Ms. Arthur is willing to give Ms. Harrington more time. By this notice,

Plaintiff Virgie Arthur hereby withdraws without prejudice her Subpoena commanding Lyndal Harrington to produce certain documents for the purposes of jurisdictional discovery, which was issued on March 14, 2008. Ms. Arthur, will re-issue the subpoena at a later date.

Respectfully submitted,

/s/ Neil C. McCabe

Neil C. McCabe

Federal I.D. No. 578596

THE O'QUINN LAW FIRM

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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that, on April 14, 2008, a copy of the foregoing Notice of Withdrawal of Subpoena to Lyndal Harrington was served on the following by certified mail, return receipt requested, and e-mail at the addresses below:

Lyndal Harrington

Via CMRRR# 7006 0810 0002 5976 9415

and that the following counsel were served electronically via the CM/ECF system addressed as follows:

Charles L. Babcock
Nancy Hamilton
Jackson Walker, LLP
1401 McKinney Street, Suite 1900
Houston, Texas 77010

L. Lin Wood
Powell Goldstein, LLP
One Atlantic Center, 14th Floor
Atlanta, GA 30309

/s/ Neil C. McCabe

Neil C. McCabe