

IN THE UNITED STATES DISTRICT COURT
FOR THE 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

**NOTICE OF WITHDRAWAL WITHOUT PREJUDICE
OF SUBPOENA TO LYNDAL**

TO: Lyndal

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

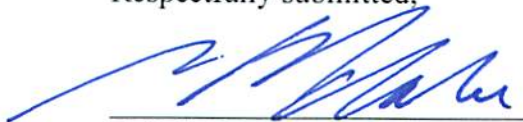
and

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

By this notice, Plaintiff Virgie Arthur hereby withdraws without prejudice her Subpoena commanding Lyndal to produce certain documents for the purposes of jurisdictional discovery, which was issued on January 31, 2008. This Court granted Plaintiff leave to conduct jurisdictional discovery by its order dated December 20, 2007.

The withdrawal is for the purpose of re-calendaring such discovery until after the conclusion of the Bahamian inquest into the death of Plaintiff's grandson, Daniel Smith.

Respectfully submitted,



Neil C. McCabe
SBN: 13335300
THE O'QUINN LAW FIRM
440 Louisiana, Suite 2300
Houston, Texas 77002

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2008, a copy of the foregoing Notice of Withdrawal Without Prejudice of Subpoena to Lyndal [redacted] was served upon the following by certified mail, return receipt requested, addressed as follows:

Lyndal [redacted]

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

L. Lin Wood
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One Atlantic Center, 14th Floor
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Neil C. McCabe