

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 NELDA ROSE MILLIGAN TURNER**

TO: William W. Ogden  
Ogden, Gibson, Broocks & Longoria, L.L.P.  
1900 Pennzoil South Tower  
711 Louisiana  
Houston, Texas 77002

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, 14<sup>th</sup> Floor  
Atlanta, GA 30309

By this notice, Plaintiff Virgie Arthur hereby withdraws without prejudice her Subpoena commanding Nelda Rose Milligan Turner to produce certain documents for the purposes of jurisdictional discovery, which was issued from the United States District Court for the Southern District of Texas 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 Nelda Rose Milligan Turner was served upon the following by certified mail, return receipt requested, addressed as follows:

William W. Ogden  
Ogden, Gibson, Broocks & Longoria, L.L.P.  
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