

CAUSE NO. 98-0159

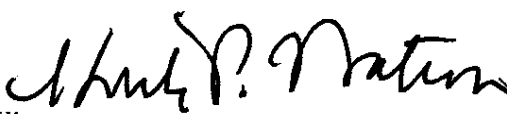
TEXAS DISPOSAL SYSTEMS LANDFILL, INC.	§	IN THE DISTRICT COURT OF
	§	
	§	
v.	§	HAYS COUNTY, TEXAS
	§	
PENSKE TRUCK LEASING CO., L.P., PENSKE LOGISTICS, INC., AND ZENITH ELECTRONICS CORP.	§	
	§	
	§	207 TH JUDICIAL DISTRICT

PLAINTIFF'S UNOPPOSED MOTION TO DISMISS

Pursuant to TEX. R. CIV. P. 162, Plaintiff Texas Disposal Systems Landfill, Inc. ("TDSL") moves the Court to dismiss this action against Defendants Penske Truck Leasing Co., L.P., Penske Logistics, Inc., and Zenith Electronics Corp., and all claims brought or which could have been brought by TDSL, with prejudice to its refiling, and with attorneys' fees and costs borne by the parties incurring the same. All disputes between or among the parties having been settled, TDSL requests that the Court enter the Order of Dismissal with Prejudice which is submitted with this Motion.

Accordingly, TDSL moves that this action be dismissed by the Court's signing and entering its proposed Order of Dismissal with Prejudice.

Respectfully submitted,

By: 

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**ATTORNEYS FOR PLAINTIFF
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LANDFILL, INC.**

CERTIFICATE OF CONFERENCE

Counsel for movant and counsel for respondents have personally conducted a conference at which there was a substantive discussion of every item presented to the Court in this motion and have agreed that this Motion should in all things be granted.

Certified to the 29th day of November, 2007.

By:



Gregory P. Sapire

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served upon all counsel of record in the manner indicated below on this 29th day of November, 2007.

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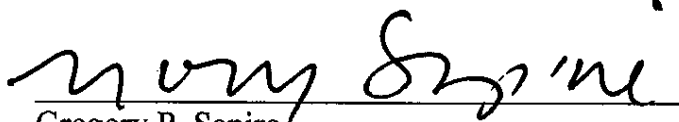
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Gregory P. Sapire

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TEXAS DISPOSAL SYSTEMS
LANDFILL, INC.

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IN THE DISTRICT COURT OF

v.

HAYS COUNTY, TEXAS

PENSKE TRUCK LEASING CO.,
L.P., PENSKE LOGISTICS, INC.,
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CORP.

207TH JUDICIAL DISTRICT

ORDER OF DISMISSAL WITH PREJUDICE

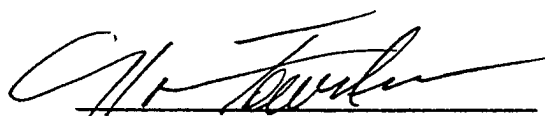
CAME TO BE HEARD on this day Plaintiff Texas Disposal Systems Landfill, Inc.'s ("TDSL") Unopposed Motion to Dismiss (the "Motion"). Having considered the Motion, the pleadings, and the papers on file in this case, the Court is of the opinion that the Motion should be, in all things, GRANTED.

Therefore, it is ORDERED, ADJUDGED and DECREED that all claims brought or which could have been brought by TDSL against Penske Truck Leasing Co., L.P., Penske Logistics, Inc. and Zenith Electronics Corp. are hereby dismissed with prejudice.

It is further ORDERED, ADJUDGED and DECREED that all costs of Court and attorneys' fees incurred in this cause are taxed against the party incurring same.

All other relief not expressly granted herein is DENIED.

SIGNED this 29 day of NOVEMBER, 2007.


HON. HAROLD R. TOWSLEE
JUDGE PRESIDING