

CASE NO. 24530

DEPT. NO. 2

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ELKO CO DISTRICT COURT
ELKO

143980

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA

METROPOLITAN LIFE INSURANCE
COMPANY, a New York corporation,

Plaintiff,

v.

DANIEL H. RUSSELL, an individual;
ROBERTA A. RUSSELL, an individual;

WASHOE TITLE GUARANTY

COMPANY, a Nevada Corporation, as

Trustee; LLOYDS BANK OF

CALIFORNIA, a national banking

association; MONFORT FINANCE CO., a

Colorado Corporation; SANWA BANK

CALIFORNIA, a national banking

association; FORELAND CORPORATION,

a Utah corporation; GARY WILLIAMS-

OIL PRODUCER, INC., a Colorado

corporation; LOMA ENERGY CORPORA-

TION, a Montana corporation; FARM

CREDIT LEASING SERVICES CORP., a

Minnesota corporation; ANGELO K.

TSAKOPOULOS, an individual; WILLIAM

C. CUMMINGS, an individual; JD RANCH,

a California General Partnership; RUSSELL

RANCH, a California limited partnership;

and AKT DEVELOPMENT CORPORA-

TION, a California corporation, general

NOTICE OF DISMISSAL AS TO
DEFENDANT MT. WHEELER
POWER, INC., A NEVADA NON-
PROFIT CORPORATION

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partner of Russell Ranch, a California limited partnership; LAGUNA CREEK WEST 289 INVESTORS, a California general partnership; WILLIAM B. BRODOVSKY, an individual; ALAN A. BRODOVSKY, an individual; TEXONA CATTLE FEEDERS, an Arizona general partnership; EXXON CORPORATION, a New Jersey corporation; MT. WHEELER POWER, INC., a Nevada nonprofit corporation; and DOES 1 through 40,

Defendants.

TO: MT. WHEELER POWER, INC., a Nevada nonprofit corporation

YOU ARE HEREBY NOTIFIED that Plaintiff herein, by and through its

attorneys of record, Goicoechea & DiGrazia, Ltd., of Elko, Nevada, hereby dismisses MT.

WHEELER POWER, INC., a Nevada nonprofit corporation, in this action, without

prejudice, pursuant to Rule 41(A)(1) of the Nevada Rules of Civil Procedure, permitting

dismissal by the Plaintiff, without Order of Court, by the filing of a Notice of Dismissal at

any time before service by the adverse party of an Answer or a Motion for Summary

Judgment.

The Court record reflects that no Answer or responsive pleading has been

filed by Defendant MT. WHEELER POWER, INC., a Nevada non-profit corporation,

herein.

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DATED this 2nd day of December, 1992.

GOICOECHEA & DI GRAZIA, LTD.

Attorneys for Plaintiff

530 Idaho Street

P. O. Box 1358

Elko, Nevada 89801

By: [Signature]
GARY EDI GRAZIA

CERTIFICATE OF MAILING

Pursuant to N.R.C.P. 5(b), I certify that I am an employee of GOICOECHEA & DI GRAZIA, LTD., and that on this 2nd day of December, 1992, I deposited for mailing, postage prepaid, at Elko, Nevada, a true copy of the foregoing, addressed as follows:

Mr. Wheeler Power, Inc.
P. O. Box 1110
Elko, Nevada 89301

[Signature]
TERESA MUNSON

BOOK 244 PAGE 129

OFFICIAL RECORDS

RECORDED AT THE REQUEST OF

[Signature]
93 JAN 22 P1:19

EUREKA COUNTY, NEVADA

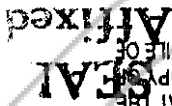
M.N. REBALATI, RECORDER

FILE NO. FEE \$ 7.00

143980

BOOK 244 PAGE 131

CERTIFICATION OF COPY



STATE OF NEVADA
COUNTY OF ELKO (SS
I, KAREN VASQUEZ, COUNTY CLERK AND EX-OFFICIO
CLERK OF THE DISTRICT COURT OF THE FOURTH
DISTRICT OF THE STATE OF NEVADA, IN AND FOR THE
COUNTY OF ELKO, DO HEREBY CERTIFY THAT THE
ANNEXED IS A FULL, TRUE AND CORRECT COPY OF
THE INSTRUMENT AS THE SAME APPEARS ON FILE OF
RECORD IN MY OFFICE.

Witness my hand and the seal of said court affixed this

21 day of Jan A.D. 1993

KAREN VASQUEZ - County Clerk

Deputy Clerk

[Signature]