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May 3, 2007

Ms. Hannah Kunkle, District Clerk
Collin County District Court
210 S. McDonald Street
McKinney, Texas 75069

Re: Collin County Gay Lesbian Alliance vs. Collin Equality Foundation, et al.;
Cause No. 401-00994-06; In the 401st Judicial District Court, Collin
County, Texas

Dear Ms. Kunkle:

Enclosed are the original and two copies of a Motion for Non-Suit. Please file this Motion with the papers of the above-referenced matter and return the file-marked copies to me in the self-addressed, stamped envelope enclosed for your convenience.

By copy of this letter, I am notifying opposing counsel of the filing of this Motion.

If you have any questions regarding this filing, please do not hesitate to contact our office. Thanking you for your attention and cooperation in this matter, and with best professional regards, I am,

Very truly yours,



Jay M. Williams
Litigation Paralegal

/jmw
Enclosures

cc: Helene G. Parker, Esq.
Mosher & Parker, P.L.L.C.
One Lincoln Centre
5400 LBJ Freeway, Suite 675
Dallas, Texas 75240
(With enclosure)

VIA FACSIMILE NO. 214.267.9092
AND VIA U.S. MAIL

COLLIN COUNTY GAY LESBIAN ALLIANCE	§	IN THE DISTRICT COURT
Plaintiff	§	
	§	
vs.	§	COLLIN COUNTY, TEXAS
	§	
COLLIN EQUALITY FOUNDATION, JAMES NUNN, CHRIS MOSS, AND BRIAN MARSHALL	§	
Defendants	§	401ST JUDICIAL DISTRICT

MOTION FOR NON-SUIT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, **COLLIN COUNTY GAY LESBIAN ALLIANCE**, Plaintiffs herein and makes the following statements and Motions to the Court:

WHEREAS the Plaintiff Collin County Gay Lesbian Alliance (“CCGLA”) and its board of directors founded the Collin Equality Foundation (“CEF”) to carry out the charitable work of the CCGLA and serve as a tax-exempt repository of contributions to further the cause of Gay, Lesbian, Bisexual and Transgender persons in Collin County, Texas; and,

WHEREAS CEF’s current board of directors illegally and inappropriately seized control of the CEF in violation of the Bylaws of the CEF and in derogation of the rights of the CCGLA to at all times maintain control of the CEF, and the CEF thereafter brought suit against the CCGLA in justice court; and

WHEREAS CCGLA brought the instant suit to carry out the CCGLA’s mission to operate the CEF, and sought to restore control of the ownership of the funds and the considerable good will the CEF enjoyed as part of the CCGLA; but

WHEREAS since the time the law suit was initiated, the CEF has ameliorated the funds and destroyed the good will of the CEF, making it for all purposes worthless, and continued prosecution of this law suit a waste of the time and energy of the CCGLA, which intends to carry on the just and appropriate business of the CCGLA through the establishment of a new charitable foundation to be endowed with the considerable good will of the CCGLA; and

WHEREAS there are no pending counter-claims or affirmative claims for relief other than those presented by the Plaintiff; and

WHEREAS it is the desire of the CCGLA to distance itself from the CEF and its current board of directors and the "ill will" that they have represented in the community;

THEREFORE now the CCGLA files this non-suit of any and all claims, causes of action and requests for relief currently before the court, and this case should be in all things dismissed;

WHEREFORE, PREMISES CONSIDERED, the Plaintiffs respectfully prays for the relief requested herein, and for such other and further relief to which it may show itself entitled.

Respectfully submitted,


ENGLISH & ASSOCIATES, P.L.L.C.

JAY C. ENGLISH, ESQUIRE

State Bar No. 06625290

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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served upon all counsel of record via facsimile, on this the ____ day of May, 2007:

Helene G. Parker, Esquire
Mosher & Parker, P.L.L.C.
One Lincoln Centre
5400 LBJ Freeway, Suite 675
Dallas, Texas 75240

VIA FACSIMILE NO. 214/267-9092
& VIA REGULAR MAIL


JAY C. ENGLISH, ESQUIRE