

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

VICTOR RODRIGUEZ,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
THE CITY OF GRAND PRAIRIE and	§	
JORJA CLEMSON, JIM SWAFFORD,	§	
LILA THORN, RICHARD FREGOE,	§	CIVIL ACTION NO. 3:15-CV-0718-D
TONY SHOTWELL, JEFF	§	
WOOLDRIDGE, JEFF COPELAND,	§	
GREG GIESSNER, and RON JENSEN, in	§	
their official capacities,	§	
	§	
Defendants.	§	

AGREED MOTION TO DISMISS WITHOUT PREJUDICE

Plaintiff Victor Rodriguez (“Plaintiff”) and defendants City of Grand Prairie, Jorja Clemson, Jim Swafford, Lila Thorn, Richard Fregoe, Tony Shotwell, Jeff Wooldridge, Jeff Copeland, Greg Giessner, and Ron Jensen, (collectively, “Defendants”) file this Agreed Motion to Dismiss without Prejudice (the “Motion”), as follows:

I.

GROUND FOR MOTION

Plaintiff brought this action against Defendants on March 4, 2015, seeking declaratory and injunctive relief regarding the method by which the City of Grand Prairie holds elections for members of the City Council. On July 14, 2015, the parties entered into a settlement agreement to resolve all claims in the litigation and to release and forever discharge defendants from, among other things, all claims raised in this suit. Because there are no remaining disputes between the parties, Plaintiff and Defendants agree to dismiss this action without prejudice.

II.

REQUESTED RELIEF

Plaintiff and Defendants request that the Court enter an order dismissing this action without prejudice.

Dated: July 21, 2015

Respectfully submitted,

BREWER STOREFRONT, PLLC

BY: /s/ Gregory A. Brassfield

William A. Brewer III

State Bar No. 02967035

[wab@ brewerattorneys.com](mailto:wab@brewerattorneys.com)

Jack G. B. Ternan

State Bar No. 24060707

[jgt@ brewerattorneys.com](mailto:jgt@brewerattorneys.com)

Gregory A. Brassfield

State Bar No. 24079900

[gxb@ brewerattorneys.com](mailto:gxb@brewerattorneys.com)

Anthony J. Bégon

State Bar No. 24092109

[axb@ brewerattorneys.com](mailto:axb@brewerattorneys.com)

1717 Main Street

Suite 5900

Dallas, Texas 75201

Telephone: (214) 653-4000

Facsimile: (214) 653-1015

ATTORNEYS FOR PLAINTIFF

BY: /s/ C. Robert Heath

C. ROBERT HEATH

bheath@bickerstaff.com

BICKERSTAFF HEATH

DELGADO ACOSTA LLP

3711 S. MoPac Expressway

Building One, Suite 300

Austin, Texas 78746

Telephone: (512) 472-8021

ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2015, I electronically submitted the following document to the Clerk of the Court for the U.S. District Court for the Northern District of Texas using the electronic case filing system of the Court. The electronic case filing system sent a “Notice of Electronic Filing” to individuals who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Gregory A. Brassfield

CERTIFICATE OF CONFERENCE

I, Gregory A. Brassfield, hereby certify that on July 21, 2015, I conferred with Bob Heath, counsel for Defendants about the Motion. Plaintiff and Defendants agree that the Motion should be granted.

/s/ Gregory A. Brassfield