

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

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HORACE CARVALHO, Individually and on  
Behalf of All Other Persons Similarly Situated,

Plaintiff,

v.

MAGNUM HUNTER RESOURCES CORP.,  
GARY C. EVANS, RON ORMAND, JAMES  
W. DENNY, III, and H.C. "KIP" FERGUSON,  
III,

Defendants

DAVID MAINGOT, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

MAGNUM HUNTER RESOURCES  
CORPORATION, GARY C. EVANS,  
RONALD D. ORMAND, DAVID S.  
KRUEGER and FRED J. SMITH, JR.,

Defendants.

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Civil Action No.: 4:13-cv-1166

Civil Action No. 4:13-cv-1289

**Notice of Voluntary Dismissal Without Prejudice**

Plaintiffs Horace Carvalho, Individually and on Behalf of All Other Persons Similarly Situated, by and through their counsel, pursuant to Fed. R.Civ.P. 41(a)(1)(A)(i), hereby given notice of the dismissal of Magnum Hunter Resources Corp., Gary C. Evans, Ronald Ormand, James W. Denny, III and H.C. “Kip” Ferguson, III (collectively, “Defendants”) from the above-captioned action without prejudice.

In accordance with the provisions of Fed. R. Civ. P. 23(e), Plaintiffs submit that:

1. Defendants were named in this action in Complaint captioned *Carvalho v. Mangum Hunter Resources Corporation, et al.*, No. 4:13-cv-1166 filed April 24, 2013.
2. This Court has subject matter jurisdiction with respect to all claims asserted against Defendants in this action.
3. Defendants have not filed an answer or motion for summary judgment.
4. No class has been certified in this action.

Respectfully submitted,

**ABRAHAM, WATKINS, NICHOLS,  
SORRELS, AGOSTO & FRIEND**

By: /s/ Sammy Ford IV  
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**Certificate of Service**

The undersigned hereby certifies that a copy of the foregoing document was filed using the Court's electronic case filing system on June 12<sup>th</sup>, 2013, which caused an electronic copy of this document to be served on all counsel of record.

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/s/ Sammy Ford IV