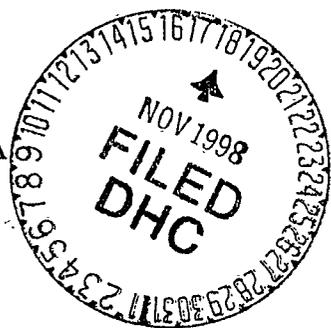


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NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
98 DHC 3

THE NORTH CAROLINA STATE BAR,
Plaintiff

v.

THEODORE F. CUMMINGS, III, Attorney,
Defendant

NOTICE OF
VOLUNTARY DISMISSAL

TO: Mr. James B. Maxwell
Attorney for Defendant
2741 University Drive
Durham, NC 27717

PLEASE TAKE NOTICE that the plaintiff, the North Carolina State Bar, hereby voluntarily dismisses this action pursuant to Rule 41(a) of the NC Rules of Civil Procedure and 27 NCAC 1B §.0107(12).

This is the 18th day of November, 1998.

A. Root Edmonson
Deputy Counsel
North Carolina State Bar
P. O. Box 25908
Raleigh, NC 27611-5908
(919) 828-4620

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the defendant with a copy of this Notice of Voluntary Dismissal by depositing a copy in an envelope deposited into the US Mail, with sufficient postage thereon, addressed as follows:

Mr. James B. Maxwell
Attorney at Law
2741 University Drive
Durham, NC 27717

This is the 18th day of November, 1998.


A. Root Edmonson

00540.