

**CAUSE NO. 2023-18515**

**EARTHWORKS, INC.,**  
*Plaintiff,*

v.

**HARTMAN SPE, LLC,**  
*Defendant.*

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**IN THE DISTRICT COURT**

**190<sup>th</sup> JUDICIAL DISTRICT**

**HARRIS COUNTY, TEXAS**

**ORDER GRANTING JOINT NOTICE OF NON-SUIT WITH PREJUDICE**

On this day, came on for consideration Plaintiff **EARTHWORKS, INC.** and Defendant **HARTMAN SPE, LLC'S** Joint Notice of Non-Suit With Prejudice of all claims, actions, and causes of action against each other in this matter. The Court, after having considered such Joint Notice, is of the opinion that the same should be granted.

**IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED** that Plaintiff **EARTHWORKS, INC.** and Defendant **HARTMAN SPE, LLC'S** Joint Notice of Non-Suit with Prejudice is hereby **GRANTED**;

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that all of Plaintiff **EARTHWORKS, INC.'S** claims, actions, and causes of action against Defendant **HARTMAN SPE, LLC** are hereby dismissed with prejudice;

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that all of Defendant **HARTMAN SPE, LLC'S** claims, actions, and causes of action against Plaintiff **EARTHWORKS, INC.** are hereby dismissed with prejudice;

**IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED** that all costs of court be taxed against the party incurring same;

**IT IS FINALLY ORDERED, ADJUDGED, AND DECREED** that this Order Granting Plaintiff's and Defendant's Joint Notice of Non-Suit with Prejudice finally disposes of all parties and

all claims and is appealable.

**SIGNED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Signed:  
5/10/2023



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**JUDGE PRESIDING**

**AGREED AS TO FORM ONLY:**

By: /s/ George A. (Tony) Mallers  
**GEORGE A. (TONY) MALLERS**

State Bar No. 12861500

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**EARTHWORKS, INC.**

*/s/ Justin McGee by permission George*

By: A. (Tony) Mallers

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**ATTORNEYS FOR DEFENDANT**

**HARTMAN SPE, LLC**

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Trechelle Andersen on behalf of George (Tony) Mallers  
Bar No. 12861500  
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Envelope ID: 75385959  
Filing Code Description: Proposed Order  
Filing Description: Proposed Order on Non-Suit  
Status as of 5/8/2023 9:07 AM CST

#### Case Contacts

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