

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

VANDERBURGH COUNTY CIRCUIT COURT

CAUSE NO. 82C01-1911-PL-006354

E. WAYNE PARKE, in his capacity as
Chairman of the Republican Party of
Vanderburgh County, Indiana.

Petitioner,

vs.

MISSY MOSBY,

Respondent.

**PETITIONER'S MOTION FOR LEAVE TO WITHDRAW VERIFIED PETITION FOR
RECOUNT AND CONTEST OF ELECTION**

E. Wayne Parke ("Petitioner"), by counsel, respectfully moves the Court for leave to withdraw Petitioner's Verified Petition for Recount and Contest of Election, and in support thereof states as follows:

1. On November 22, 2019 Petitioner filed his Verified Petition for Recount of the Election and Contest of Election for Evansville City Council 2nd Ward.
2. Petitioner has decided not to pursue the recount and contest of the election held on November 5, 2019 in Evansville City Council 2nd Ward, and therefore wishes to withdraw his Verified Petition for Recount of the Election and Contest of Election.

WHEREFORE, Petitioner E. Wayne Parke respectfully requests leave from the Court to withdraw his Verified Petition for Recount of Election and Contest of Election, and all other just and proper relief.

Respectfully Submitted,

/s/ Ted W. Nolting

Ted W. Nolting, Attorney No. 27985-49
Kroger Gardis & Regas, LLP
111 Monument Circle, Suite 900
Indianapolis, Indiana 46204-5125
Direct Tel. (317) 777-7459
Fax: (317) 264-6832
Reception: (317) 692-9000
tnolting@kgrlaw.com

Attorney for Petitioner

CERTIFICATE OF SERVICE

I certify that on December 9, 2019, I electronically filed the foregoing document using the Indiana E-Filing System ("IEFS"). I also certify that on December 9, 2019, the foregoing document was served upon the following person via IEFS:

Robert Ray Faulkner
Faulkner Law Office
1809 Allens Lane
P.O. Box 4208
Evansville , IN 47720

Douglas K. Briody
Law Office of Doug Briody
839 Stahl Ct.
Evansville, IN 47715-7166

/s/ Ted W. Nolting

Ted W. Nolting

STATE OF INDIANA)
) SS:
COUNTY OF VANDERBURGH)

VANDERBURGH COUNTY CIRCUIT COURT

CAUSE NO. 82C01-1911-PL-006354

E. WAYNE PARKE, in his capacity as
Chairman of the Republican Party of
Vanderburgh County, Indiana.

Petitioner,

vs.

MISSY MOSBY,

Respondent.

**ORDER GRANTING PETITIONER'S MOTION FOR
FOR LEAVE TO WITHDRAW VERIFIED PETITION FOR RECOUNT AND
CONTEST OF ELECTION**

The Court, having considered Petitioner E. Wayne Parke's Motion for leave to withdraw his Verified Petition for Recount and Contest of Election, and the Court having read and examined said Motion and being duly advised in the premises, now finds that said Motion should be granted.

IT IS, THEREFORE, ORDERED that the Petitioner E. Wayne Parke's Motion for Leave to withdraw his Verified Petition for Recount of Election and Contest of Election is hereby GRANTED. The Verified Petition for Recount of Election and Contest of Election is hereby withdrawn.

Dated: _____.

JUDGE, Vanderburgh County Circuit Court

Distribution to all counsel of record.