

IN THE STATE COURT OF LOWNDES COUNTY

STATE OF GEORGIA

NATIONAL COLLEGIATE STUDENT)
LOAN TRUST 2005-3,)

Plaintiff,)

v.)

CIVIL ACTION

FILE NO. 2011S [REDACTED]

[REDACTED] S,)

Defendants.)

DISMISSAL WITHOUT PREJUDICE

COMES NOW, National Collegiate Student Loan Trust 2005-3, Plaintiff in the above-styled action, and hereby dismisses this action without prejudice pursuant to O.C.G.A. § 9-11-41(a).

Respectfully Submitted,

LAZEGA & JOHANSON LLC



M [REDACTED]

Georgia Bar No. [REDACTED]

Attorneys for Plaintiff

3520 Piedmont Road, NE
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Atlanta, Georgia 30305
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General Civil Case Final Disposition Form (Non-Domestic)

Court

☐ Superior

☒ State

County Lowndes

Date Disposed

MM-DD-YY

Docket # 2011S

Reporting Party Lazega & Johanson LLC

Last First Middle I. Suffix Prefix

Maiden

Attorneys for Plaintiff

Title

Name of Plaintiff/Petitioner(s)

National Collegiate Student Loan Trust 2005-3

Last First Middle I. Suffix Prefix Maiden

Name of Defendant/Respondent(s)

Last First Middle I. Suffix Prefix Maiden

Plaintiff/Petitioner's Attorney

☐ Pro Se

Defendant/Respondent's Attorney

☒ Pro Se

Last First Middle I. Suffix

Last First Middle I. Suffix

Bar #

Bar #

Type of Disposition (Check all that apply)

1. ☒ Pre-Trial Dismissal (Specify which type)

A. ☐ Involuntary

B. ☒ Voluntary (without Prejudice)

C. ☐ Voluntary (with prejudice)

2. ☐ Pre-Trial Settlement

3. ☐ Default Judgment

4. ☐ Summary Judgment

5. ☐ Transferred/Consolidated

6. ☐ Bench Trial

7. ☐ Jury Trial (specify outcome further)

A. ☐ Dismissal after jury selected

B. ☐ Settlement during trial

C. ☐ Judgment on Verdict

D. ☐ Directed Verdict or JNOV

1. Judgment on Verdict. Was the verdict:

AWARD

1. If verdict for Plaintiff, how much was awarded?

\$		Compensatory
\$		Punitive

2. If verdict on cross or counter claims, how much was awarded?

\$		Compensatory
\$		Punitive

3. Did the court modify the award?
☐ Yes ☐ No

4. Were attorneys fees awarded?
☐ Yes ☐ No

ADR

1. Was ADR utilized?
☐ Yes ☐ No

2. If yes, was it (check if applicable)
☐ Yes ☐ No

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NATIONAL COLLEGIATE STUDENT)
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_____,)
S,)

Defendants.)

CIVIL ACTION

FILE NO. 2011S _____

**PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS, "SWORN
AFFIDAVIT OF NEGATIVE AVERMENT," AND "NOTICE OF FAULT WITH
OPPORTUNITY TO CURE"**

COMES NOW National Collegiate Student Loan Trust 2005-3, Plaintiff in the above-styled action, and files this its response to Defendant's Motion to Dismiss, "Sworn Affidavit of Negative Averment," and "Notice of Fault with Opportunity to Cure," and shows the Court as follows:

Defendant has served Plaintiff's Counsel with a Motion to Dismiss, a "Sworn Affidavit of Negative Averment," and a "Notice of Fault with Opportunity to Cure." In response to the Motion to Dismiss, Plaintiff attaches hereto a copy of the Dismissal without Prejudice that is to be filed with the Court in the case at bar. This filing renders Defendant's Motion moot.

In response to the other two documents served upon Plaintiff's Counsel, Plaintiff believes these filings to be legal nullities and requests that the Court disregard Defendant's "Sworn Affidavit of Negative Averment" and "Notice of Fault with Opportunity to Cure." Further, Plaintiff notes for the Court that with the filing of the Dismissal in this case, there is no pending

action on which to file Motions, and as such, there is nothing which remains upon which the Court must rule.

WHEREFORE, Plaintiff asks that the Court deny Defendant's Motions and permit the case to be closed with the filing of Plaintiff's Dismissal without Prejudice.

This [REDACTED]th day of August 2014

Respectfully submitted,
LAZEGA & JOHANSON LLC


A [REDACTED]
Georgia State Bar No. [REDACTED]
[REDACTED]
Georgia State Bar No. 5 [REDACTED]
Attorneys for Plaintiff

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