

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 08-60315-CIV-ZLOCH/ROSENBAUM

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**W. ANTHONY HUFF,
DANNY L. PIXLER,
ANTHONY R. RUSSO,
OTHA RAY MCCARTHA, and
CHARLES J. SPINELLI,**

Defendants,

**SHERI HUFF, ROXANN PIXLER,
MIDWEST MERGER MANAGEMENT, LLC, and
BRENTWOOD CAPITAL CORPORATION,**

Relief Defendants.

**NOTICE OF VOLUNTARY DISMISSAL OF PLAINTIFF'S MONETARY CLAIMS
AGAINST DEFENDANT DANNY L. PIXLER AND RELIEF DEFENDANT
BRENTWOOD CAPITAL CORPORATION**

Plaintiff Securities and Exchange Commission hereby gives notice pursuant to Federal Rule of Civil Procedure 41(a)(1) of voluntary dismissal with prejudice of its claims against: (1) Defendant Danny L. Pixler for disgorgement, prejudgment interest and civil penalties;¹ and (2) Relief Defendant Brentwood Capital Corporation for disgorgement and prejudgment interest.²

¹ In a related criminal action, Pixler was convicted, sentenced to 60 months imprisonment, and ordered to pay more than \$1.9 million in restitution. Previously, the Commission obtained a bifurcated judgment against Pixler, by consent, where the Court entered full injunctive relief, including a penny stock bar and officer-and-director bar and left open the Commission's monetary claims for future resolution. [DE 25].

² Brentwood Capital no longer operates and has been dissolved. Previously, the Court affirmed the clerk's entry of a default judgment against Brentwood Capital and found that it would enter Final Judgment via a separate Order if liability was established against one or more of the Defendants. [DE 32-33].

The Commission notes that neither Pixler nor Brentwood Capital answered the Commission's complaint or filed a motion for summary judgment. *See* Fed.R.Civ.Pro. 41(a)(1)(i). By filing this notice and the final judgments that have been previously entered by the Court, all of the Commission's claims in this matter have been fully resolved.

Respectfully submitted,

September 27, 2012

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 27, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served on this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Christopher E. Martin
Christopher E. Martin

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