

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

Director of the Manufactured Housing and )  
Modular Units Program of the Missouri )  
Public Service Commission, )

Complainant, )

v. )

Brookside Homes, Inc., )

and )

Steven D. Warren, an individual )

Respondents. )

**Case No. MC-2009-0020**

**NOTICE OF DISMISSAL OF CASE**

**COMES NOW** the Director of the Manufactured Housing and Modular Units Program of Missouri Public Service Commission (Director), by and through counsel, and for the Notice of Dismissal of Case states as follows:

1. On March 3, 2009, the Director filed with the Missouri Public Service Commission (the Commission) the Director's First Amended Complaint against Brookside Homes, Inc. (Brookside) and Steven D. Warren (Warren) and containing allegations in the form of ten (10) counts.

2. On August 25, 2009, the Director filed the Director's Notice of Dismissal of Counts I, II, III, IV, VI, VIII, and X, dismissing six (7) of the ten (10) counts contained in the Director's First Amended Complaint. On October 5, 2009, the Director filed a Notice of Dismissal of Respondent Steven D. Warren, voluntarily dismissing the Respondent Steven D. Warren from the counts that remained pending in the action.

3. Commission Rule 4 CSR 240-2.116 provides in relevant part as follows:

(1) An applicant or complainant may voluntarily dismiss an application or complaint without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered, by filing a notice of dismissal with the commission and serving a copy on all parties. Once evidence has been offered or prepared testimony filed, an applicant or complainant may dismiss an action only by leave of the commission, or by written consent of the adverse parties.

4. No testimony has been filed and no oral evidence has been offered in this matter.

Therefore, pursuant to Commission Rule 4 CSR 240-2.116 and based upon information and belief that the Respondents Brookside Homes, Inc. and Steven D. Warren are no longer engaged in the sale or distribution of new manufactured homes, the Director now voluntarily dismisses Case No. MC-2009-0020 in its entirety.

**WHEREFORE**, pursuant to Commission Rule 4 CSR 240-2.116, the Director submits this Notice of Dismissal of Case for the Commission's information and requests that the Commission issue an order closing Case No. MC-2009-0020.

Respectfully submitted,

**/s/ Eric Dearmont**

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**Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 9<sup>th</sup> day of March, 2010.

**/s/ Eric Dearmont**