

**From:** Gilbert, Christopher [Christopher.Gilbert@bgllp.com]

**Sent:** Thursday, November 06, 2008 5:53 PM

**To:** victordelrio@netzero.com; beholdmrz@gmail.com

**Subject:** RE:

Mr. Del Rio:

Attached please find the Rule 41 Stipulation of Dismissal filed with the Southern District of Texas in this matter today. If you cannot open this document or require a hard copy, please let me know.

Christopher B. Gilbert

Partner

Bracewell & Giuliani LLP

711 Louisiana St., Suite 2300

Houston, TX 77002-2770

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[christopher.gilbert@bracewellgiuliani.com](mailto:christopher.gilbert@bracewellgiuliani.com)

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**From:** victordelrio [mailto:victordelrio@netzero.com]

**Sent:** Thursday, November 06, 2008 4:39 PM

**To:** Gilbert, Christopher; beholdmrz@gmail.com

**Subject:**

Mr. C. Gilbert: Will this suffice, sir?

Z: Nicholas espoir et je peux vous voir bientôt, vieil ami

Very best regards,

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX 77373

Mobile office 713-359-0494, fx 515-474-2415

-----Original Message-----

**From:** victordelrio [mailto:victordelrio@netzero.com]

**Sent:** Thursday, November 06, 2008 3:06 PM

**To:** 'Gilbert, Christopher'

**Cc:** 'beholdmrz@gmail.com'

**Subject:** RE:

I don't see how this isnt leverage since Mrs. Drexler isnt working with me right now at all, responded to my emails, nor have I seen the last IEPs, I'm not included on school registration paperwork, much less seen or heard from my son. I'll send it straightaway.

Very best regards,

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX 77373

Mobile office 713-359-0494, fx 515-474-2415

-----Original Message-----

**From:** Gilbert, Christopher [mailto:Christopher.Gilbert@bgllp.com]  
**Sent:** Thursday, November 06, 2008 2:26 PM  
**To:** victordelrio@netzero.com  
**Subject:** RE:

Mr. Del Rio:

I do not know what you intend to mean by the phrase "risk assessment as leverage." As I pointed out before, Ms. Drexler is and always has been interested in working with both you and your ex-wife regarding your son's education. However, you have named her as a defendant in a lawsuit, and I need to know what you intend to do about her seeming lack of inclusion in the Amended Complaint, so that I know how to proceed in this lawsuit. I am not trying to gain leverage, nor am I trying to negotiate anything. As I told you before, all I was trying to do when I started this latest dialog was to ascertain your intent in omitting Ms. Drexler from the caption of your Amended Complaint.

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**From:** victordelrio [mailto:victordelrio@netzero.com]  
**Sent:** Thursday, November 06, 2008 2:18 PM  
**To:** Gilbert, Christopher  
**Subject:** RE:

So Mrs. Drexler doesnt want to work with me and I'm having to tolerate 'risk assessment" as leverage, then?

Very best regards,

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX 77373  
Mobile office 713-359-0494, fx 515-474-2415

-----Original Message-----

**From:** Gilbert, Christopher [mailto:Christopher.Gilbert@bgllp.com]  
**Sent:** Wednesday, November 05, 2008 7:15 PM  
**To:** victordelrio@netzero.com; epagel@lanierandpagel.com; traceydelrio@hotmail.com  
**Subject:** Re:

Also, if and when you hire an attorney, please provide me with that person's contact information, and I will begin communicating with him/her.

Chris Gilbert

Bracewell &amp; Giuliani LLP

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**From:** victordelrio  
**To:** Gilbert, Christopher; epagel@lanierandpagel.com ; traceydelrio@hotmail.com  
**Sent:** Wed Nov 05 19:01:04 2008  
**Subject:**

My potential law firm and I may meet tomorrow or day after to discuss this and other matters. I'm very partial to closing it since this seems to be a repeat of March. Nonetheless, no harm done; I want to have N. this weekend. Please consider.

Very best regards,

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX 77373  
Mobile office 713-359-0494, fx 515-474-2415

-----Original Message-----

**From:** Gilbert, Christopher [mailto:Christopher.Gilbert@bgllp.com]  
**Sent:** Tuesday, November 04, 2008 10:54 AM  
**To:** victordelrio@netzero.com  
**Subject:** RE:

The document is not a "waiver." It is simply a dismissal of Ms. Drexler from the lawsuit. We are not asking you to waive anything; we are simply asking you to dismiss Ms. Drexler as a party from the lawsuit, and yes, we would need your signature as the plaintiff to do that.

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**From:** victordelrio [mailto:victordelrio@netzero.com]  
**Sent:** Tuesday, November 04, 2008 10:35 AM  
**To:** Gilbert, Christopher  
**Subject:** RE:

If she has no power over these issues, I still have to sign that waiver? My word is not good enough?

Very best regards,

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX 77373  
Mobile office 713-966-0803, fx 515-474-2415

<http://www.youtube.com/watch?v=DfZUftHAGWg&feature=related>

-----Original Message-----

**From:** Gilbert, Christopher [mailto:Christopher.Gilbert@bgllp.com]

**Sent:** Tuesday, November 04, 2008 9:54 AM

**To:** victordelrio@netzero.com

**Subject:** RE:

Mr. Del Rio:

I meant to reply yesterday and let you know that I don't understand the chart that you sent us, which may have gotten cut up in email transmission. However, with respect to the below, I do not believe that there is anything that Ms. Drexler could agree to that would have any impact on your interest in suing Texas or your custody issues. She simply has no power over those issues. While Ms. Drexler is and always has been interested in working with both you and your ex-wife regarding your son's education, she herself could not agree as a party to this lawsuit to anything that relates to your son's education. Only the Spring Independent School District could do that, and you have not sued Spring ISD. Also, as we pointed out in our Motion to Dismiss, any issue related to your son's education needs to go through the IDEA due process procedures.

So I guess the answer to your question is no, we cannot agree to any settlements related to the issues you have raised - not because we don't want to, but because Ms. Drexler does not have the power to do so, regardless of whether she wants to or not.

Christopher B. Gilbert  
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**From:** victordelrio [mailto:victordelrio@netzero.com]

**Sent:** Tuesday, November 04, 2008 9:45 AM

**To:** Gilbert, Christopher

**Subject:** RE:

Mr. Gilbert, Please advise if the below is not an option and/or negotiable:

*I'm referring to a settlement between us - something I could use to prove:  
01 I'm not interested in suing Texas etc... if I were to have custody of my son.  
02 she is willing to work with me regarding my son's education.*

Very best regards,

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX 77373

<http://www.jdsupra.com/post/documentViewer.aspx?fid=4b480453-7766-4b07-b5f5-288b35322386>  
Mobile office 713-966-0803, fx 515-474-2415

<http://www.youtube.com/watch?v=DfZUftHAGWg&feature=related>

-----Original Message-----

**From:** victordelrio [mailto:victordelrio@netzero.com]  
**Sent:** Monday, November 03, 2008 11:12 AM  
**To:** 'Gilbert, Christopher'  
**Subject:** RE:

I'm referring to a settlement between us - something I could use to prove:  
01 I'm not interested in suing Texas etc... if I were to have custody of my son.  
02 she is willing to work with me regarding my son's education.

Very best regards,

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX 77373  
Mobile office 713-966-0803, fx 515-474-2415

<http://www.youtube.com/watch?v=DfZUftHAGWg&feature=related>

-----Original Message-----

**From:** Gilbert, Christopher [mailto:Christopher.Gilbert@bgllp.com]  
**Sent:** Monday, November 03, 2008 10:45 AM  
**To:** victordelrio@netzero.com  
**Subject:** RE:

Mr. Del Rio:

Neither Dede Drexler nor Spring ISD could enter into a "settlement" regarding the custody issues you keep referencing, because neither Ms. Drexler nor the District have any power over or say in the custody of your son. That is an issue solely between you and your ex-wife. I don't know what you would expect us to agree to on any custody issues.

Christopher B. Gilbert  
Partner  
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**From:** victordelrio [mailto:victordelrio@netzero.com]  
**Sent:** Monday, November 03, 2008 9:20 AM  
**To:** Gilbert, Christopher

**Subject:** RE:

I want to proceed for sole custody of my son with TX, SISD, myself, and the ex-wife all on neutral ground.

I simply want to prosecute Tracey for her crimes and win sole custody of my son without interference.

If that you keep any cash settlement, no problem. I'm just trying to save my son.

Please look into a "settlement" to get the above in place.

I apologize to anyone having hard feelings against me but how should one have reacted if they were in my place all these years?

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX 77373  
Mobile office 713-966-0803, fx 515-474-2415

-----Original Message-----

**From:** Gilbert, Christopher

[mailto:Christopher.Gilbert@bgllp.com]

**Sent:** Monday, November 03, 2008 8:59 AM

**To:** victordelrio@netzero.com

**Subject:** RE:

Mr. Del Rio:

I received your voicemail from this weekend. While I can certainly meet at some point if you want, I'm not sure I understand what you want to meet about. In your voicemail, you state that you want to "get my points across without there being any further misunderstandings." My inquiry to you from last week about dismissing Dede Drexler from this case was based solely on the fact that you dropped her from the caption (and largely from the body) of your Amended Complaint. I was not trying to negotiate any sort of settlement, nor do I have any authority to do so at the moment. A Rule 41 Dismissal simply dismisses a party from a lawsuit; it does not make "points" or create any "understandings" between the parties.

Please let me know how you would like to proceed.

Christopher B. Gilbert

Partner

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**From:** victordelrio [mailto:victordelrio@netzero.com]  
**Sent:** Saturday, November 01, 2008 2:47 PM  
**To:** Gilbert, Christopher  
**Subject:** RE:

Sorry Mr. Gilbert, I'd love to cooperate making amends but I'm not sure how this helps me at all regain any custody or my life back.  
And I've orders to spend my remaining time in peaceful convalescence.

Very best regards,

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX 77373  
Mobile office 713-966-0803, fx 515-474-2415

<http://www.youtube.com/watch?v=DfZUftHAGWg&feature=related>

-----Original Message-----

**From:** Gilbert, Christopher  
[mailto:Christopher.Gilbert@bgllp.com]  
**Sent:** Wednesday, October 29, 2008 2:00 PM  
**To:** victordelrio@netzero.com  
**Subject:** RE:

Mr. Del Rio:

I don't know what the "Compact With Texas form" is that you reference.

With regards to the dismissal, attached is the Rule 41 Stipulation of Dismissal that I have drafted. If this looks OK to you, please sign in the appropriate place, and scan it back to me or fax it to me at (713) 221-2154. I will take care of getting it filed with the Court. Thanks,

Christopher B. Gilbert  
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T: (713) 221-1372  
F: (713) 221-2154  
[christopher.gilbert@bracewellgiuliani.com](mailto:christopher.gilbert@bracewellgiuliani.com)

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**From:** victordelrio [mailto:victordelrio@netzero.com]  
**Sent:** Wednesday, October 29, 2008 11:35 AM  
**To:** Gilbert, Christopher  
**Subject:** RE:

Mr. Gilbert,  
If SISD has their own version of Compact With Texas form  
I could sign to better prove  
I have no dispute with you. Please, please, please send  
me a copy.

I was offered one by T.E.A. with a subtle allusion to  
big compensation in Dec 2007;  
but I declined filling it out because I wasn't doing all of  
that for easy money much less  
making more trouble for SISD, N. and I.  
Very best regards,

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX 77373  
Mobile office 713-966-0803, fx 515-474-2415

<http://www.youtube.com/watch?v=DfZUftHAGWg&feature=related>

-----Original Message-----

**From:** victordelrio  
[mailto:victordelrio@netzero.com]  
**Sent:** Wednesday, October 29, 2008 10:30 AM  
**To:** 'Gilbert, Christopher'  
**Subject:** RE:

Good morning Mr. Gilbert,  
Sir yes sir, I really want to apologize for all the  
problems and confusion I've created.  
This experience was something I never  
expected but nor have I been able to fix either.  
So please accept this sort of peace offering for Mrs.  
Drexler, Mrs. Horton, and yourself as  
proof I really am at peace with you. Nor matter how  
worse things have gotten, I, we, really  
and truly only want Nick and closure. And you  
really do have my word on that.

Yesterday, I mailed the Withdrawal ppw for the Tx  
Supreme Court case between Tracey and I.

The Federal and Family Court cases are getting  
sticky unfortunately. But rest assured I'll keep you  
out.  
If I can simply win full custody of N. and Tracey her  
just desserts, then that would be the Happiest  
Ending  
for N. and I. We'd throw all other issues in the trash  
and a bottle of Dom Perignon to you all in the spirit  
of good will. And something from Tiffany's for Mrs.  
D....I owe her big time!

Send the file by email, I'll send it back promptly.

Thank you sir!



Very best regards,

Victor Del Rio, 2427 Pinpoint Drive, Spring, TX  
77373  
Mobile office 713-966-0803, fx 515-474-2415

<http://www.youtube.com/watch?v=DfZUftHAGWg&feature=related>

-----Original Message-----

**From:** Gilbert, Christopher  
[mailto:Christopher.Gilbert@bgllp.com]  
**Sent:** Wednesday, October 29, 2008 8:57  
AM  
**To:** Victor D  
**Subject:**

Mr. Del Rio:

We received your Amended Complaint in Civil Action 4:08-cv-02366, and noticed that you no longer name Dede Drexler in the caption of the lawsuit, nor do there appear to be any substantive allegations being made against her. Because an amended pleading completely supersedes any previous pleadings, this would normally mean that Ms. Drexler was being dropped from the lawsuit. We wanted to check with you to see whether it was your intent to drop Ms. Drexler as a party from this lawsuit. If that is your intent, I would like to do a Rule 41 Joint Motion to Dismiss Ms. Drexler, so that there is no confusion with the Court on this issue. I would be happy to draft such a motion and send it to you to review, if you would like.

Christopher B. Gilbert  
Partner  
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F: (713) 221-2154  
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