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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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Lowe's HIW, Inc.,)

No. CV-09-2481-PHX-SMM

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Plaintiff,)

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vs.)

ORDER

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Thomas James Civil Design Group)

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Inc., et al.,)

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Defendants.)

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And Related Counterclaims,)

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And Related Cross-Claims.)

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Pursuant to a settlement agreement, pending before the Court is the stipulation of

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Plaintiff Lowe's HIW, Inc. ("Lowe's") and Defendant Kleinfelder West, Inc. ("Kleinfelder")

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to dismiss all claims with prejudice. (Doc. 911.) Good cause appearing,

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IT IS HEREBY ORDERED dismissing with prejudice all claims by Lowe's against

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Kleinfelder and Kleinfelder's subcontractor, Defendant Geomechanics Southwest, Inc.

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("Geomechanics") with the parties to bear their own costs and attorney's fees.

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IT IS FURTHER ORDERED dismissing with prejudice all claims by Kleinfelder

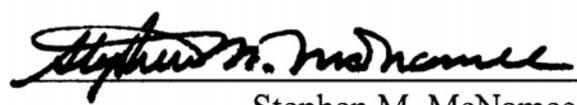
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against Lowe's with the parties to bear their own costs and attorney's fees.

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DATED this 15th day of August, 2013.

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Stephen M. McNamee
Senior United States District Judge