

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

CBL & ASSOCIATES MANAGEMENT, INC.,

Plaintiff,

v.

No. 4:17-cv-00840-JM

RAM CONSTRUCTION SERVICES OF
MICHIGAN, INC.,

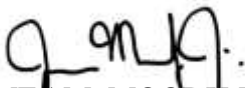
Defendant.

STIPULATED ORDER OF DISMISSAL WITH PREJUDICE

By stipulation of the parties, and the Court being otherwise advised of the premises, it is ordered that this action is dismissed with prejudice according to the following terms:

1. This dismissal operates as an adjudication on the merits of all claims that were raised or could have been raised in the action;
2. In the event any person or entity files a subsequent action based on or including the same or similar claims relating to the Park Plaza Mall parking deck that were raised in this action against Defendant RAM Construction Services of Michigan, Inc. (“RAM”), the person or entity shall pay all costs and attorney fees incurred by RAM in this action as a condition precedent to filing and/or proceeding with the subsequent action;
3. Plaintiff CBL & Associates Management, Inc. has been acting as the disclosed and authorized agent of Park Plaza Mall CMBS, LLC throughout this action and makes the stipulations in this order with full authority to do so on behalf of Park Plaza Mall CMBS, LLC; and
4. The parties shall bear their own attorneys’ fees and expenses of this action, other than as provided in paragraph 2 above.

IT IS SO ORDERED this 13th day of May, 2021.


JAMES M. MOODY JR. —
UNITED STATES DISTRICT JUDGE

AGREED AS TO FORM AND SUBSTANCE:

HUSCH BLACKWELL LLP

/s/ K. Chris Collins

Justin L. Jones (AR Bar No. 2008068)

Michael K. Alston (TN Bar No. 13697)

Admitted Pro Hac Vice

K. Chris Collins (TN Bar No. 29109)

Admitted Pro Hac Vice

Tel: (423) 266-5500

Fax: (423) 266-5499

justin.jones@huschblackwell.com

michael.alston@huschblackwell.com

chris.collins@huschblackwell.com

Counsel for Plaintiff

CBL & Associates Management, Inc.

KOTZ SANGSTER WYSOCKI P.C.

/s/ R. Edward Boucher

R. Edward Boucher (MI Bar No. P57251)

Admitted Pro Hac Vice

400 Renaissance Center, Suite 3400

Detroit, Michigan 48243

(313) 259-8300

rboucher@kotsangster.com

Attorneys for RAM Construction

Services of Michigan, Inc.