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17 **UNITED STATES DISTRICT COURT**  
18 **EASTERN DISTRICT OF CALIFORNIA**  
19 **FRESNO DIVISION**

20 FOX HOLLOW OF TURLOCK OWNER'S  
21 ASSOCIATION, et al.,

22 Plaintiffs,

23 vs.

24 RICHARD SINCLAIR, et al.,

25 Defendants.

26 CASE NO. 1:03-CV-05439-AWI-SAB

27 **STIPULATION AND ORDER FOR  
DISMISSAL BETWEEN PLAINTIFFS  
AND CERTAIN DEFENDANTS ONLY**

28 **[FRCP Rule 41(a)(2)]**

AND RELATED CROSS-ACTIONS

**STIPULATION**

NOW COMES Plaintiffs, Defendants and Cross-Defendants Fox Hollow of Turlock Owners' Association and California Equity Management Group, Inc. and Defendant and Cross-Defendant Andrew Katakis (collectively the "Plaintiffs"), and Defendant and Cross-Complainant Gregory Mauchley and Defendant Dianna Mauchley (collectively the "Mauchley Defendants"), and hereby stipulate and agree pursuant to a Confidential Settlement Agreement and Mutual

1 General Releases, dated January 24, 2014, that the within action, as between Plaintiffs and the  
2 Mauchley Defendants, and only as between Plaintiffs and the Mauchley Defendants, be  
3 dismissed without prejudice with the Court retaining jurisdiction to enforce the settlement, and  
4 with the action, except as so dismissed, continuing as against the defaulted defendants on the  
5 Consolidated Amended and Supplemental Complaint filed herein on July 20, 2010 (Docket  
6 #410).

7 Dated: October 28, 2015

PERKINS, MANN & EVERETT  
INCORPORATED

9 By: /s/ Craig A. Tristao

10 Curtis D. Rindlisbacher,  
11 Craig A. Tristao,  
12 Attorneys for Defendant and Cross-Complainant  
Gregory Mauchley and Defendant Dianna  
Mauchley

13 Dated: October 28, 2015

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

16 By: /s/ D. Greg Durbin

17 D. Greg Durbin  
18 Ben Nicholson  
19 Attorneys for Plaintiffs, Defendants and Cross-  
20 Defendants Fox Hollow of Turlock Owners'  
Association and California Equity Management  
Group, Inc. and Defendant and Cross-Defendant  
Andrew Katakis

21 **ORDER**

22 Upon the stipulation of Plaintiffs, Defendants and Cross-Defendants Fox Hollow of  
23 Turlock Owners' Association and California Equity Management Group, Inc. and Defendant and  
24 Cross-Defendant Andrew Katakis (collectively the "Plaintiffs"), and Defendant and Cross-  
25 Complainant Gregory Mauchley and Defendant Dianna Mauchley (collectively the "Mauchley  
26 Defendants"), pursuant to the Confidential Settlement Agreement and Mutual General Releases,  
27 dated January 24, 2014, and good cause appearing:

28 ///

1 IT IS HEREBY ORDERED that the within action, as between Plaintiffs and the  
2 Mauchley Defendants, and only as between Plaintiffs and the Mauchley Defendants, be and  
3 hereby is dismissed without prejudice with the Court retaining jurisdiction to enforce the  
4 settlement, and with the action, except as so dismissed, continuing as against the defaulted  
5 defendants on the Consolidated Amended and Supplemental Complaint filed herein on July 20,  
6 2010 (Docket #410).

7 IT IS SO ORDERED.

8 Dated: November 20, 2015

9   
10 SENIOR DISTRICT JUDGE