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8 Attorneys for plaintiff Natomas Gardens Investment Group LLC

9 **UNITED STATES DISTRICT COURT**

10 **EASTERN DISTRICT OF CALIFORNIA**

11 NATOMAS GARDENS INVESTMENT  
 12 GROUP LLC, a California limited liability  
 13 company, ORCHARD PARK  
 14 DEVELOPMENT LLC, a California  
 15 limited liability company,

16 Plaintiffs,

17 v.

18 JOHN G. SINADINOS, et al.

19 Defendants.

20 **Case No. 2:08-CV-02308-LKK-CKD**

21 **STIPULATION FOR VOLUNTARY  
 22 DISMISSAL PURSUANT TO FEDERAL  
 23 RULES OF CIVIL PROCEDURE, RULE 4  
 24 (a) (1)(A)(ii) AND ORDER**

25 **AND RELATED COUNTERCLAIMS**

26 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

27 Pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1)(A)(ii), Plaintiff NATOMAS  
 28 GARDENS INVESTMENT GROUP, LLC (hereinafter referenced as “Natomas”), by and  
 through its counsel, and all defendants (except Baljit and Harinder Johl, and Gus Galaxidas who  
 previously were dismissed from this action), including John G. Sinadinus, Stanley J. Foondos,  
 Stephen Foondos, Village Capital Group LLC, Vintage Creek LLC, South Watt & Florin  
 Partners, Chi-Sac Village Capital Investors LLC, Chi-Sac Florin Vineyards, Caselman &  
 Carlisle Partners, Chi-Sac Vintage Creek Investors, Inc., Chi-Sac Gap Investors, Prime Minister  
 Group LLC, Park Ridge Investments LLC, Chi-Sac South Sutter Investors, Chi-Sac White Rock

STIPULATION FOR VOLUNTARY DISMISSAL OF NATOMAS GARDENS INVESTMENT GROUP,  
 LLC’S SECOND AMENDED COMPLAINT AND [PROPOSED] ORDER  
 Case No. 2:08-CV-02308-FCD-KJM-LEK-LKK

1 150 Investors LLC, Chicago South Watt Investors, LLC, Chicago Infill Investors LLC, Stewart  
2 Title Company, Glenn Sorensen, Jr., Stockton & 65<sup>th</sup>, LP, Larry Deane, and Margarida Leavitt,  
3 by and through their undersigned counsel (except Margarida Leavitt who has appeared in pro per  
4 in the action and Stewart Title of Sacramento who is now appearing in pro per), stipulate to the  
5 dismissal of all claims asserted by Natomas in the second amended complaint as follows:

6 **WHEREAS**, plaintiff Natomas has entered into entered into a settlement agreement  
7 attached hereto as Exhibit A with all remaining defendants;

8 **WHEREAS**, plaintiff Natomas entered into a settlement agreement with Stewart Title of  
9 Sacramento on July 15, 2010, attached hereto as Exhibit B;

10 **WHEREAS**, defendants Baljit and Harinder Johl were previously dismissed from this  
11 action via a motion to dismiss which was granted on May 12, 2009 (Docket # 123);

12 **WHEREAS**, defendant Gus Galaxidas was previously dismissed from this action  
13 pursuant to stipulation on July 29, 2009 (Docket # 155);

14 **WHEREAS**, the terms of the settlement agreements with all remaining defendants  
15 require Natomas to dismiss all of its claims asserted in this action;

16 **WHEREAS**, defendant and counterclaimant Larry Deane has also agreed to the  
17 settlement and, pursuant thereto, agrees to dismiss all claims asserted in his counterclaim;

18 **WHEREAS**, all parties stipulate to (i) the dismissal of Natomas' second amended  
19 complaint and all claims asserted therein as to all remaining defendants, and (ii) to the dismissal  
20 of the counterclaim filed by Larry Deane.

#### 21 **STIPULATION**

22 It is hereby stipulated by and between Natomas Gardens Investment Group, LLC (and for  
23 itself alone) and all remaining defendants, listed above, to this action that the Second Amended  
24 Complaint filed by Natomas Gardens Investment Group, LLC and all claims asserted therein,  
25 and the counterclaim filed by defendant Larry Deane and all claims asserted therein, be  
26 DISMISSED WITH PREJUDICE.

27 **IT IS SO STIPULATED.**

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Dated: August 24, 2012

Natomas Gardens Investment Group, LLC,  
a California limited liability company

By:           /s/ S. Chandler Visser            
S. Chandler Visser  
Attorney for Natomas Gardens Investment  
Group, LLC

Dated: August 24, 2012

Larry Deane

By:           /s/ Jason Burgess            
Jason W. Burgess  
Law Offices of Wanland, Burgess &  
Brenner

Dated: August 24, 2012

For All Defendants *Except* Larry Deane, Stewart  
Title of Sacramento, Village Capital Group LLC,  
Vintage Creek LLC & Margarida Leavitt

By:                           /s/ Eric Garner                            
Eric Garner  
Kirkman Blaine Klomprens & Youmans  
LLP

Dated: August 24, 2012

Village Capital Group LLC and Vintage Creek LLC

By:                           /s/ John Fairbrook                            
John D. Fairbrook  
Trainor Fairbrook

Dated: August 24, 2012

Stewart Title of Sacramento

By:           /s/Paul Carillo            
Paul Carillo  
Chief Financial Officer  
Stewart Title of Sacramento

Dated: August 24, 2012

Margarida Leavitt

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By: /s/Margarida Leavitt  
Margarida Leavitt

**ORDER**

Based on the stipulation of the parties pursuant to Federal Rule of Civil Procedure, Rule 41(a)(1)(A)(ii), Natomas Gardens Investment Group LLC's second amended complaint and all claims asserted therein, and the counterclaim filed by Larry Deane, are hereby **DISMISSED WITH PREJUDICE.**

**IT IS SO ORDERED.**

DATED: August 27, 2012

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT