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9 Attorneys for Plaintiffs

10  
 11 UNITED STATES DISTRICT COURT  
 12 EASTERN DISTRICT OF CALIFORNIA

13 Angela Anthony, John Anthony, Joseph Adams,  
 14 Nick Adams, Patrick Beeler, Mark Boswell, Mark  
 15 Boswell Jr., Tommy Boswell, Melissa Catron,  
 16 John Cooper, Richard De La Vega, Donald  
 17 Durbin, Horace Durbin, Teresa Durbin, Don  
 18 Francis, Tina M. Frederickson, Jessica Graham,  
 19 David Hardy, Ronda Hughes, Jerry Jones, Sandra  
 20 S. Jones, Mark LePage, Monique Karki, John  
 21 Macdonald, Scott R. Martin, Dale Melvin,  
 22 Stefany Millward, Patrick Millward, Susan  
 23 Murchison, Robert Rosas, Jack L. Smith, Rebecca  
 24 Smith, Tory Stepp, Travis Spinale, Jamie Wahl,  
 25 Nita Webster, and Sean W. Wood Jr.,

26 Plaintiffs,

27 v.

28 Jonothan Benefield, Julie Benefield, Walnut Hill  
 Estate Enterprises, LLC, and DOES 1 through  
 100, inclusive,

Defendants.

Case No.: 2:10-CV-00689 MCE DAD

**STIPULATION TO REMOVE *LIS*  
*PENDENS***

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

The parties in this action enter into the following stipulation:

**WHEREAS** on September 15, 2010, Defendants Jonothan Benefield, Julie Benefield, Walnut Hill Estate Enterprises, LLC, and Plaintiffs Angela Anthony, et al. entered into a settlement of the above-entitled action in its entirety; and

1           **WHEREAS**, Plaintiffs agree to remove the *lis pendens* previously recorded against the real  
2 property owned by the Defendants which is commonly known as the “Oroville Inn” located at 2066  
3 Bird Street, Oroville, California [erroneously referred to as 2166 Bird Street, Oroville, California in  
4 the Notice filed with the Eastern District Court of California and filed with said court on April 1,  
5 2010]

6           **IT IS HEREBY STIPULATED AND AGREED** as follows:

7           1. By this stipulation and proposed order, the Notice of Pendency of Action (*Lis*  
8 *Pendens*) recorded by Plaintiffs Angela Anthony, et al., in the County of Butte against the property  
9 referred to as the Oroville Inn on April 10, 2010 is to be removed.

10          2. The Defendants agree that they will take nothing as a result of Plaintiffs having filed  
11 the *Lis Pendens* against the subject property. Defendants likewise agree not to pursue any request for  
12 monetary sanctions against Plaintiffs, or their attorneys, for having filed the *lis pendens* against the  
13 subject property.

14          3. The parties agree to cooperate with one another to effectuate the removal of the *lis*  
15 *pendens*.

16          4. Attached as Exhibit A hereto is a true and correct copy of the Notice of Pendency of  
17 Action recorded with the County of Butte on April 20, 2010.

18           **IT IS SO STIPULATED:**

19 DATED: October 19, 2010

BRADSHAW & ASSOCIATES  
A Professional Corporation

20  
21 By:                     /s/                      
Brenda D. Posada, Esq.  
Attorney for Plaintiffs

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23  
24 DATED: October 19, 2010

FIELD & SANDERS

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26 By:                     /s/                      
Fred G. Weisner, Esq.  
Attorney for Defendants

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1 DATED: October 19, 2010  
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MICHEL & FACKLER


3 By:                 /s/                  
4 Jeff Fackler, Esq.  
5 Attorney for Defendants  
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7 **ORDER**

8 The parties having stipulated as set forth herein, it is the Order of this Court that the *lis*  
9 *pendens* currently recorded against the property commonly referred to as the "Oroville Inn" located  
10 at 2066 Bird Street, Oroville, California, which was the subject premises in the above-entitled action  
11 shall be removed.

12 IT IS SO ORDERED.

13 DATED: October 19, 2010  
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16 MORRISON C. ENGLAND, JR.  
17 UNITED STATES DISTRICT JUDGE  
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