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9 Attorneys for Plaintiff
BOVIS LEND LEASE, INC. as assignee of
10 LNR-LENNAR BRANNAN STREET, LLC

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 BOVIS LEND LEASE, INC., as assignee of
15 LNR-LENNAR BRANNAN STREET, LLC,

16 Plaintiff,

17 vs.

18 MBH ARCHITECTS, INC. aka MCNULTY
BRISKMAN HEATH and DOES 1 through 150,

19 Defendants.

20 MBH ARCHITECTS, INC., a/k/a McNULTY
21 BRISKMAN HEATH,

22 Cross-Complainant,

23 vs.

24 LNR-LENNAR BRANNAN STREET, LLC,
25 and ROES, 1 through 150, inclusive,

26 Cross-Defendants.
27

Case No. C 07-05262 JSW

**NOTICE OF SETTLEMENT
AND ORDER THEREON**

Judge: Hon. Jeffrey S. White

Trial Date: April 20, 2009

1 TO THIS HONORABLE COURT IN THE ABOVE-ENTITLED MATTER:

2 Plaintiff BOVIS LEND LEASE, INC., as assignee of LNR-LENNAR BRANNAN
3 STREET, LLC, and defendant MBH ARCHITECTS, INC., a/k/a McNULTY BRISKMAN
4 HEATH, hereby provide notice to this Court that the parties reached a settlement in principle of
5 all issues, claims and causes of action which are the subject of this action. The parties are
6 currently cooperating in the preparation of a written settlement agreement. Pursuant to the terms
7 of the settlement, this action will be dismissed with prejudice, in its entirety. In light of the
8 settlement, we request that the Court vacate the Pre-Trial Conference and Trial dates.

9 DATED: April 3, 2009.

GORDON & REES, LLP

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11 By S. Mitchell Kaplan
12 S. MITCHELL KAPLAN

13 Attorneys for Plaintiff BOVIS LEND LEASE, INC. as
14 assignee of LNR-LENNAR BRANNAN STREET, LLC

15
16 April 6, 2009

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18 In future appearances before this Court,
19 the parties should submit such requests in
20 the form of a stipulation and proposed
21 order.

