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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GREGORY HALL, FAUSTO AGUILAR,)
GONZALO AGUILAR, CHARLES) Case No. 08-CV-3447 CW
CHILTON, FELIX CORTES,)
OMAR FRANCO, DOUGLAS GIVENS,)
ROBERT IVY, QUINCY MOUTON,)
LUIS OSUNA, RICHARD RANKIN,)
HECTOR RODRIGUEZ,)
MARTIN SANDOVAL, HENRY TAYLOR,)
LLOYD THIBEAUX, MICHAEL BROWN,)
ASTRIAN CAEL, ARNULFO CARRANZA-)
RIVAS, APOLINAR CORNEJO, ROY)
EDWARDS, VICTOR HAMPTON, RANDY)
KEYS, ANDRE LARRIMORE, TERRY)
MACKEY, DOUGLAS TURNER, JEFF)
WEST, ROBERT WHITE, MARQUEZ)
BOYD)

JOINT STIPULATION OF DISMISSAL

Plaintiffs,

vs.

APARTMENT INVESTMENT AND)
MANAGEMENT COMPANY, AIMCO)
CAPITAL, INC., FORTNEY &)
WEYGANDT, INC., IMR CONTRACTOR)
CORPORATION, BAY BUILDING)
SERVICES, BAY AREA CONSTRUCTION)
FRAMERS, INC., ALL HALLOWS)
PRESERVATION, L.P., BAYVIEW)
PRESERVATION, L.P., LA SALLE)
PRESERVATION, L.P., SHOREVIEW)
PRESERVATION, L.P. and DOES 1-50,

Defendants.

JOINT STIPULATION OF DISMISSAL

COME NOW Plaintiffs Marquez Boyd, Michael Brown, Astrian Cael, Apolinar Cornejo, Felix

1 Cortes, Omar Franco, Victor Hampton, Andre Larrimore, Luis Osuna, Martin Sandoval, Henry Taylor
2 Jeff West and Robert White and Defendants Apartment Investment and Management Company,
3 AIMCO Capital Inc., Fortney & Weygandt Inc., IMR Contractor Corporation, Bay Area Construction
4 Framers, Inc., All Hallows Preservation, L.P., Bayview Preservation, L.P., La Salle Preservation, L.P.,
5 and Shoreview Preservation, L.P., and pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil
6 Procedure, jointly stipulate to dismiss the claims in this action of the above-referenced plaintiffs with
7 prejudice. In support of their Joint Stipulation of Dismissal, the Parties show as follows:
8

9 1. Plaintiffs are Marquez Boyd, Michael Brown, Astrian Cael, Apolinar Cornejo, Felix
10 Cortes, Omar Franco, Victor Hampton, Andre Larrimore, Luis Osuna, Martin Sandoval, Henry
11 Taylor, Jeff West and Robert White. Defendants are Apartment Investment and Management
12 Company, AIMCO Capital Inc., Fortney & Weygandt Inc., IMR Contractor Corporation, Bay Area
13 Construction Framers, Inc., All Hallows Preservation, L.P., Bayview Preservation, L.P., La Salle
14 Preservation, L.P., and Shoreview Preservation, L.P.
15

16 2. Plaintiffs filed a Complaint initiating this action on December 14, 2007. After
17 amendments the current complaint in this action is the Fourth Amended Complaint filed on May 11,
18 2009.
19

20 3. Plaintiffs, identified above, desire to dismiss their causes of action with prejudice as to
21 all of their claims against all defendants, without affecting the rights of the remaining plaintiffs in this
22 litigation.
23

24 4. Defendants have all answered the Fourth Amended Complaint.

25 5. This case is not a class action.

26 6. This dismissal is with prejudice to re-filing.

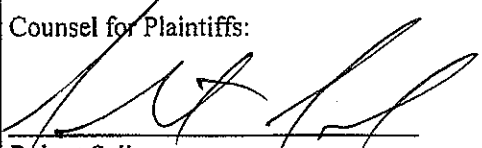
27 7. The following plaintiffs remain in this action: Gregory Hall, Fausto Aguilar, Gonzalo
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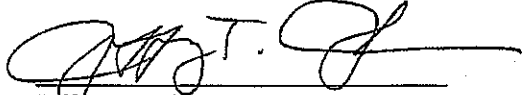
Aguilar, Charles Chilton, Douglas Givens, Robert Ivy, Quincy Mouton, Richard Rankin, Hector Rodriguez, Lloyd Thibeaux, Arnulfo Carranza-Rivas, Roy Edwards, Randy Keys, Terry Mackey, Douglas Turner. These plaintiffs maintain all of their causes of actions against all Defendants.

WHEREFORE, the Parties stipulate that the claims of Plaintiffs Marquez Boyd, Michael Brown, Astrian Cael, Apolinar Cornejo, Felix Cortes, Omar Franco, Victor Hampton, Andre Larrimore, Luis Osuna, Martin Sandoval, Henry Taylor, Jeff West and Robert White be dismissed with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.

Jointly Stipulated this _____ day of December, 2009.

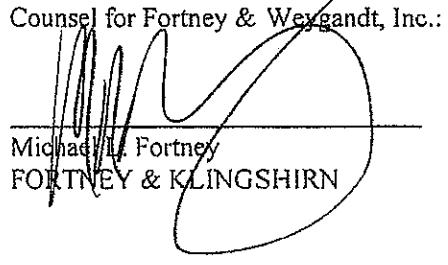
Counsel for Plaintiffs:

Robert Salinas
SUNDEEN SALINAS & PYLE

Counsel for Apartment Investment and Management Company, AIMCO Capital, Inc., All Hallows Preservation, L.P., Bayview Preservation, L.P., La Salle Preservation, L.P., and Shoreview Preservation, L.P.:


Jeffrey T. Johnson
HOLLAND & HART, LLP

Counsel For IMR Contractor Corporation:

Paul V. Simpson
SIMPSON, GARRITY, INNES and JACUZZI

Counsel for Fortney & Weygandt, Inc.:

Michael L. Fortney
FORTNEY & KLINGSHIRN

Counsel for Bay Area Construction Framers, Inc.:

Joseph E. Powell
LAW OFFICES OF JOSEPH E. POWELL

1 Aguilar, Charles Chilton, Douglas Givens, Robert Ivy, Quincy Mouton, Richard Rankin, Hector
2 Rodriguez, Lloyd Thibeaux, Arnulfo Carranza-Rivas, Roy Edwards, Randy Keys, Terry Mackey,
3 Douglas Turner. These plaintiffs maintain all of their causes of actions against all Defendants.

4 WHEREFORE, the Parties stipulate that the claims of Plaintiffs Marquez Boyd, Michael
5 Brown, Astrian Cael, Apolinar Cornejo, Felix Cortes, Omar Franco, Victor Hampton, Andre
6 Larrimore, Luis Osuna, Martin Sandoval, Henry Taylor, Jeff West and Robert White be dismissed
7 with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.
8

9 Jointly Stipulated this _____ day of December, 2009.

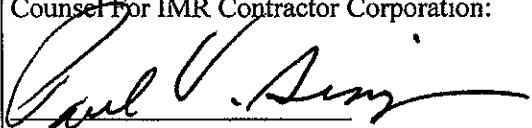
10 Counsel for Plaintiffs:

11 _____
12 Robert Salinas
13 SUNDEEN SALINAS & PYLE
14

Counsel for Apartment Investment and
Management Company, AIMCO Capital, Inc., All
Hallows Preservation, L.P., Bayview
Preservation, L.P., La Salle Preservation, L.P.,
and Shoreview Preservation, L.P.:

15 _____
16 Jeffrey T. Johnson
HOLLAND & HART, LLP

17 Counsel For IMR Contractor Corporation:

18 
19 Paul V. Simpson
20 SIMPSON, GARRITY, INNES and JACUZZI
21

Counsel for Fortney & Weygandt, Inc.:

22 _____
23 Michael L. Fortney
24 FORTNEY & KLINGSHIRN
25

Counsel for Bay Area Construction Framers, Inc.:

26 _____
27 Joseph E. Powell
28 LAW OFFICES OF JOSEPH E. POWELL

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 6 Larrimore, Luis Osuna, Martin Sandoval, Henry Taylor, Jeff West and Robert White be dismissed
 7 with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.
 8

9 Jointly Stipulated this _____ day of December, 2009.

10 Counsel for Plaintiffs:

11 _____
 12 Robert Salinas
 13 SUNDEEN SALINAS & PYLE

Counsel for Apartment Investment and
 Management Company, AIMCO Capital, Inc., Al
 Hallows Preservation, L.P., Bayview
 Preservation, L.P., La Salle Preservation, L.P.,
 and Shoreview Preservation, L.P.:

14 _____
 15 Jeffrey T. Johnson
 16 HOLLAND & HART, LLP

17 Counsel For IMR Contractor Corporation:

18 _____
 19 Paul V. Simpson
 20 SIMPSON, GARRITY, INNES and JACUZZI

Counsel for Fortney & Weygandt, Inc.:

21 _____
 22 Michael L. Fortney
 23 FORTNEY & KLINGSHIRN

24 Counsel for Bay Area Construction Framers, Inc.:

25 
 26 Joseph E. Powell
 27 LAW OFFICES OF JOSEPH E. POWELL
 28

ORDER OF THE COURT

IT IS HEREBY ORDERED that the claims of Plaintiffs Marquez Boyd, Michael Brown, Astrian Cael, Apolinar Cornejo, Felix Cortes, Omar Franco, Victor Hampton, Andre Larrimore, Luis Osuna, Martin Sandoval, Henry Taylor, Jeff West and Robert White are DISMISSED WITH PREJUDICE from this action.

Dated: 3/3/_____, 2010



Honorable CLAUDIA WILKEN
United States District Court Judge

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