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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

| | | |
|--------------------------------------|---|----------------------------------|
| ASHTON WOODS HOLDINGS, L.L.C.; |) | CASE NO. 4:15-cv-01247-HSG |
| BEAZER HOMES HOLDINGS CORP.; |) | |
| CALATLANTIC GROUP, INC.; D.R. HORTON |) | Hon. Haywood S. Gilliam, Jr. |
| LOS ANGELES HOLDING COMPANY, INC.; |) | |
| HOVNANIAN ENTERPRISES, INC.; KB |) | |
| HOME; MERITAGE HOMES CORPORATION; |) | PLAINTIFFS' AND L&W'S |
| M/I HOMES, INC.; PULTE HOME |) | STIPULATION OF |
| CORPORATION; THE DREES COMPANY; |) | DISMISSAL AND |
| TOLL BROTHERS, INC.; TRI POINTE |) | ORDER |
| HOMES, INC., |) | |

Plaintiffs,

vs.

| | |
|---------------------------------------|---|
| USG CORPORATION; UNITED STATES |) |
| GYPSUM COMPANY; L&W SUPPLY |) |
| CORPORATION; NEW NGC, INC.; LAFARGE |) |
| NORTH AMERICA, INC.; CONTINENTAL |) |
| BUILDING PRODUCTS, INC.; CERTAINTEED |) |
| GYPSUM, INC.; AMERICAN GYPSUM |) |
| COMPANY LLC; TIN, INC., d/b/a TEMPLE- |) |
| INLAND, INC.; PABCO BUILDING |) |
| PRODUCTS, LLC., |) |

Defendants.

1 **STIPULATION**

2 Plaintiffs Ashton Woods Holdings, L.L.C., Beazer Homes Holdings Corp.,
3 CalAtlantic Group, Inc., D.R. Horton Los Angeles Holding Company, Inc.,
4 Hovnanian Enterprises, Inc., KB Home, Meritage Homes Corporation, M/I Homes,
5 Inc., Pulte Home Corporation, The Drees Company, Toll Brothers, Inc., and TRI
6 Pointe Homes, Inc. (collectively, "Plaintiffs") and Defendant L&W Supply
7 Corporation ("L&W") stipulate as follows:

8 WHEREAS, on April 2, 2021, Plaintiffs and L&W signed a binding term
9 sheet setting forth an agreement to settle all matters in controversy between the
10 parties;

11 NOW, THEREFORE, the Parties hereby stipulate and agree to the following:

- 12 • Plaintiffs hereby dismiss all claims against USG Corp., United States
13 Gypsum Company, and L&W Supply Corporation with prejudice. Fed. R. Civ.
14 P. 41(a). Each shall bear their own costs, expenses, and attorneys' fees.

15 **IT IS SO STIPULATED**

16 DATED: April 8, 2021
17 /s/ Gary T. Lafayette
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Respectfully submitted,
/s/ Kevin Y. Teruya
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Attorneys for Plaintiffs

1 **ORDER**

2 Pursuant to the parties' stipulation, it is so **ORDERED**. All claims against
3 USG Corp., United States Gypsum Company, and L&W Supply Corporation are
4 **DISMISSED** with prejudice. Each shall bear its own costs, expenses, and attorneys'
5 fees.

6
7 Date: 4/9/2021



8 Hon. Haywood S. Gilliam, Jr.

9 United States District Judge