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7 **UNITED STATES DISTRICT COURT**
 8 **NORTHERN DISTRICT OF CALIFORNIA**
 9 **OAKLAND DIVISION**

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

15 Plaintiffs,

16 vs.

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

22 Defendants.

1 **STIPULATION**

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

7 WHEREAS, on April 12, 2021, Plaintiffs and PABCO signed a binding term sheet
8 setting forth an agreement to settle all matters in controversy between the parties;

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

- 10 • Plaintiffs hereby dismiss all claims against PABCO with prejudice. Fed. R. Civ.
11 P. 41(a). Each shall bear their own costs, expenses, and attorneys' fees.

12 **IT IS SO STIPULATED**

13 DATED: April 16, 2021

14 /s/ Bradley C. Weber

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Respectfully submitted,

/s/ Kevin Y. Teruya

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14 **ATTESTATION OF KEVIN Y. TERUYA**

15 This document is being filed through the Electronic Case Filing (ECF) system by attorney
16 Kevin Y. Teruya. By his signature, Mr. Teruya attests that he has obtained concurrence in the
17 filing of this document from each of the attorneys identified on the caption page and in the above
18 signature block.

19
20 By /s/ Kevin Y. Teruya
Kevin Y. Teruya

21
22 **CERTIFICATE OF SERVICE**

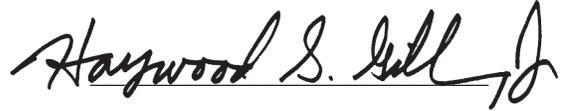
23 I hereby certify that on this 16th day of April 2021, I electronically transmitted the
24 foregoing document to the Clerk's Office using the CM/ECF System, causing the document to be
25 served on all attorneys of record in this case.

26
27 By /s/ Kevin Y. Teruya
Kevin Y. Teruya

1 **ORDER**

2 Pursuant to the parties' stipulation, it is so **ORDERED**. All claims against PABCO
3 Building Products, LLC are **DISMISSED** with prejudice. Each shall bear its own costs,
4 expenses, and attorneys' fees.

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6 Date: 4/19/2021



7 Hon. Haywood S. Gilliam, Jr.

8 United States District Judge
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