

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

JENS AUGUST PEDERSEN, III)

Plaintiff)

v.)

BEAZER HOMES, LIMITED LIABILITY)
PARTNERSHIP)

Defendant.)

CAUSE NO: 1:07-CV-1583-WTL-TAB

BEAZER HOMES LIMITED LIABILITY)
PARTNERSHIP)

Third Party Plaintiff,)

v.)

FOUNDATIONS BY THOMPSON)
and HENRY Y. DEIN,)

Third Party Defendants.)

BEAZER HOMES LIMITED LIABILITY)
PARTNERSHIP)

Third Party Plaintiff,)

v.)

U.S. DEPARTMENT OF HOUSING &)
URBAN DEVELOPMENT)

Third Party Defendant.)

SETTLEMENT AGREEMENT

The parties agree to settle all claims asserted by Plaintiff by payment as follows:

Defendant Beazer Homes

\$ 5,000.00

Third Party Defendant Thompson	\$12,000.00
Third Party Defendant Dein	<u>\$ 1,000.00</u>
	\$18,000.00

Additionally:

1. Beazer will dismiss its Third Party claim against Dein and counterclaim against Pedersen with prejudice and release them from all liability.

2. Beazer will dismiss its Third Party Complaint against Thompson with prejudice and release them from all liability.

3. Beazer will dismiss its Third Party Complaint against HUD without prejudice.

4. HUD reserves its right to proceed against Plaintiff on any claim it possesses.

Plaintiff agrees to release Beazer, Thompson and Dein from all claims asserted or that could have been asserted in this cause and to execute a stipulation of dismissal with prejudice. Further, the release as to Dein shall include any and all matters arising out of Dein's legal representation.

Executed this 27th day of August, 2008.

/s/ Roy Rodabaugh
Ernest Roy Rodabaugh, IV, Attorney
for Beazer Homes

/s/ Jens Pederson
Jens Pederson

/s/ Richard A. Young
Richard A. Young, Attorney
for Foundations by Thompson, Inc.

/s/ Henry Y. Dein
Henry Y. Dein

/s/ Judith Tucker
Judith Tucker, U.S. Department of
Housing & Urban Development