

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

JENS AUGUST PEDERSEN, III )  
Plaintiff )  
v. )  
BEAZER HOMES, LIMITED LIABILITY )  
PARTNERSHIP )  
Defendant. )  
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.

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

## 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 27<sup>th</sup> 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