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 14 UNITED STATES DISTRICT COURT
 15 DISTRICT OF NEVADA
 16

17 BEAZER HOMES HOLDINGS CORP.
 18 vs.
 19 CW CAPTIAL FUND ONE, LLC;
 CORONADO WEST, INC.; the FEDERAL
 20 DEPOSIT INSURANCE CORPORATION, as
 Receiver for NEW SOUTH FEDERAL
 21 SAVINGS BANK and CRAIG ASSET
 HOLDINGS, LLC,
 22 Defendants.
 23

CASE NO. 2:09-cv-02089-GMN-LRL

**JOINT MOTION FOR VOLUNTARY
DISMISSAL WITHOUT PREJUDICE**

AND ORDER

24 Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff Beazer Homes
 25 Holdings Corp. (“Beazer”) and Defendants Craig Asset Holdings, LLC (“Craig”) and the Federal
 26 Deposit Insurance Corporation, as Receiver for New South Federal Savings Bank, (“NSFSB”)
 27 hereby jointly move the Court for an order dismissing, without prejudice, Beazer’s claims against
 28

1 Craig and NSFSB, Craig's defenses to the same, and Craig's claims against CW Capital Fund
2 One, LLC and John Cork.

3 Beazer, Craig and NSFSB stipulate that Beazer's claims against Craig and NSFSB and
4 Craig's claims against CW Capital Fund One, LLC and John Cork should be dismissed, without
5 prejudice, each party to pay its own costs and attorney fees.

6 Beazer's claims against defendants, CW Capital Fund One, LLC and Coronado West, Inc.,
7 for which Beazer has been granted a default judgment will remain.

8 WHEREFORE, Beazer Homes Holdings Corp., Craig Asset Holdings, LLC and the
9 Federal Deposit Insurance Corporation, as Receiver for New South Federal Savings Bank,
10 respectfully request that the Court enter an order dismissing Beazer's claims, without prejudice,
11 against Craig and NSFSB, dismissing Craig's defenses thereto without prejudice, and dismissing
12 Craig's claims, without prejudice, against CW Capital Fund One, LLC and John Cork.

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14 RESPECTFULLY SUBMITTED this 11th day of January, 2011.

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16 /s/ Andrew J. Detherage
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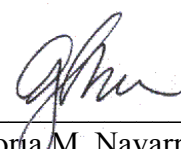
ORDER

Having read the foregoing Joint Motion for Voluntary Dismissal Without Prejudice, and good cause appearing therefore,

IT IS HEREBY ORDERED that Defendant BEAZER HOMES HOLDINGS CORP's claims against CRAIG ASSET HOLDINGS, LLC and the FEDERAL DEPOSIT INSURANCE CORPORATION, as Received for NEW SOUTH FEDERAL SAVINGS BANK, and CRAIG ASSET HOLDINGS, LLC's defenses to the same, are hereby **DISMISSED, WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that CRAIG ASSET HOLDINGS, LLC's claims against CW CAPITAL FUND ONE, LLC and JOHN CORK, are hereby **DISMISSED, WITHOUT PREJUDICE**.

DATED this 12th day of January, 2011.



Gloria M. Navarro
United States District Judge