

("PNL") and former Counterclaim Defendant Federal Deposit Insurance Corporation as Receiver for IndyMac Bank, F.S.B., by and through their counsel of record, Foster Pepper LLP, by defendants Schleining and DeCal Oregon, Inc., by and through their counsel of record, Tonkon Torp LLP, and by defendant Eagle's Loft Condominium, LLC, by and through its counsel of record, Cable Huston Benedict Haagensen & Lloyd LLP.

The Court, having considered the Stipulated Motion of the above parties, and being fully advised,

ORDERS that the Stipulated Motion is GRANTED as follows:

1. PNL's claims and the action as against defendants DeCal Oregon, Inc., Schleining, and Western Property Investments, LLC, are DISMISSED WITH PREJUDICE and without attorney fees or costs to any party;
2. PNL's claims and the action as against defendant Eagle's Loft Condominium, LLC are DISMISSED WITHOUT PREJUDICE and without attorney fees or costs to any party, to afford PNL the ability to institute a judicial or nonjudicial foreclosure in the future if necessary to clear title to the property at issue, provided that said foreclosure (whether judicial or nonjudicial) shall be without personal recourse to Eagle's Loft Condominium, LLC for any deficiency. PNL shall have the right to prosecute this action or to pursue nonjudicial foreclosure against any parties other than defendants DeCal Oregon, Inc., Schleining, and Western Property Investments, LLC; and

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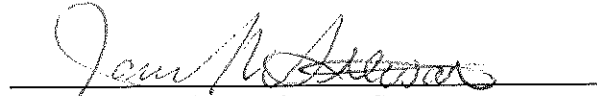
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3. The counterclaims of Eagle's Loft Condominium, LLC, DeCal Oregon, Inc., and Schleining, previously terminated without prejudice, and the action as against former counterclaim defendant Federal Deposit Insurance Corporation as Receiver for IndyMac Bank, F.S.B. are DISMISSED WITH PREJUDICE and without attorney fees or costs to any party.

Dated: January 7, 2009.



Judge Janice M. Stewart

Submitted by:

FOSTER PEPPER LLP
Paul B. George, OSB No. 99009
Carter M. Mann, OSB No. 96089
Matthew S. Kirkpatrick, OSB No. 08382
Of Attorneys for PNL High Country, L.P. and
Federal Deposit Insurance Corporation as receiver for
IndyMac Bank, F.S.B.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **ORDER** was served upon:

Matt Goldberg	matt.goldberg@klgates.com
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as shown above to be electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a Notice of Electronic Filing; and

Western Property Investments, LLC
c/o Carolyn Baty, R/A
807 Washington Street, #103
Key West, FL 33040

Veritas Investment Co., LLC
c/o P. Stephen Russell, III, R/A
Landye Bennett Blumstein LLP
1300 SW Fifth Ave., Suite 3500
Portland, OR 97201

by causing a copy thereof to be placed in a sealed envelope, postage prepaid, in the United States Mail at Portland, Oregon, on the date below.

DATED this 7th day of January, 2009.

/s/ Paul B. George
Paul B. George, OSB No. 99009
Carter M. Mann, OSB No. 96089
Matthew S. Kirkpatrick, OSB No. 08382

Of Attorneys for PNL High Country, L.P.