

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF SCOTT

FIRST JUDICIAL DISTRICT  
Case Type: Mechanic's Lien Foreclosure

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In re M.W. Johnson Construction, Inc.  
Mechanic's Lien Foreclosure Litigation

Consolidated Master Court File: 70-CV-09-7343

Judge: Jerome B. Abrams

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Wenzel Plumbing & Heating, Inc.,

Scott County Court File: 70-CV-09-7947

Plaintiff,

Dakota County Court File: 19HA-CV-08-1621

vs.

**STIPULATION OF DISMISSAL WITH  
PREJUDICE; AND**

Martin J. Lorenzen; Mortgage  
Electronic Registration Systems, Inc.,  
as nominee for AmTrust Bank; 84  
Lumber Company; XYZ Corporation;  
ABC Partnership; John Doe and Mary  
Roe, whose true names are to the  
Plaintiff unknown

**ORDER FOR DISMISSAL WITH  
PREJUDICE AND JUDGMENT**

Defendants.

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**IT IS HEREBY STIPULATED AND AGREED**, by and among Plaintiff Wenzel Plumbing & Heating, Inc. ("Wenzel"), Defendant Martin J. Lorenzen ("Lorenzen") and Defendant Mortgage Electronic Registration Systems, Inc., as nominee for AmTrust Bank ("MERS"), by and through their undersigned attorneys as follows:

1. All claims by Wenzel against Lorenzen, MERS, Defendant 84 Lumber Company and that certain real property located in Dakota County, Minnesota, legally described as: "Lot 8, Block 1, Rayspark" shall be dismissed with prejudice, on the merits and in their entirety, and without an award of costs, disbursements or attorneys' fees to any party.

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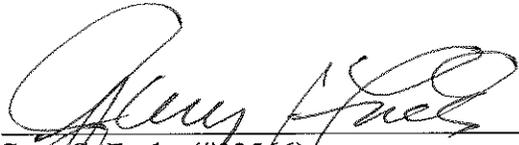
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SCOTT COUNTY COURTS

2. Any party to this Stipulation, without prior notice to any other party, may cause an Order for Judgment to be entered herein.

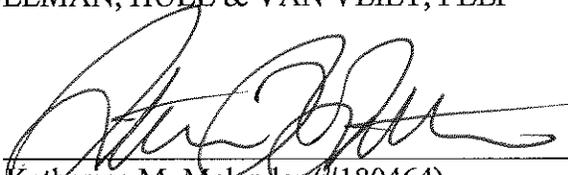
GARY G. FUCHS  
ATTORNEY AT LAW, P.A.

Dated: 9/30, 2009

By:   
\_\_\_\_\_  
Gary G. Fuchs (#32566)  
3440 Federal Drive, Suite 100  
Eagan, MN 55122  
(651) 452-1214  
*Attorney for Plaintiff*  
*Wenzel Plumbing & Heating, Inc.*

COLEMAN, HULL & VAN VLIET, PLLP

Dated: 10/2, 2009

By:   
\_\_\_\_\_  
Katherine M. Melander (#180464)  
Steven R. Little (#0304244)  
8500 Normandale Lake Boulevard  
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*Attorneys for Defendants Martin J. Lorenzen, and*  
*Mortgage Electronic Registration Systems, Inc., as*  
*nominee for AmTrust Bank*

**ORDER FOR DISMISSAL WITH PREJUDICE AND JUDGMENT**

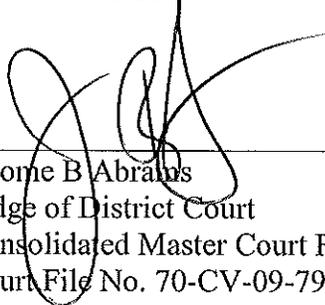
Pursuant to the foregoing Stipulation of Dismissal entered into by and among Plaintiff Wenzel Plumbing & Heating, Inc. ("Wenzel"), Defendant Martin J. Lorenzen ("Lorenzen") and Defendant Mortgage Electronic Registration Systems, Inc., as nominee for AmTrust Bank ("MERS"), by and through their attorneys, the Court makes the following **ORDER**:

1. The parties Stipulation of Dismissal is hereby approved in all respects.
2. All claims by Wenzel against Lorenzen, MERS, Defendant 84 Lumber Company and that certain real property located in Dakota County, Minnesota, legally described as: "Lot 8, Block 1, Rayspark" are hereby dismissed **WITH PREJUDICE**, on the merits and in their entirety, and without an award of costs, disbursements or attorneys' fees to any party.

**THERE BEING NO JUST REASON FOR DELAY, LET JUDGMENT BE ENTERED FORTHWITH.**

BY THE COURT:

Dated: 10-21, 2009

  
\_\_\_\_\_  
Jerome B. Abrams  
Judge of District Court  
Consolidated Master Court File No. 70-CV-09-7343  
Court File No. 70-CV-09-7947

**JUDGMENT**

I DO HEREBY CERTIFY THAT THE FOREGOING ORDER  
CONSTITUTES THE JUDGMENT OF THIS COURT.

DATE 10-23-09  
GREGORY M. ESS  
COURT ADMINISTRATOR, SCOTT COUNTY, MINN.

DEPUTY 