

STATE OF MINNESOTA
COUNTY OF SCOTT

FILED
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SCOTT COUNTY COURTS

DISTRICT COURT
FIRST JUDICIAL DISTRICT
Case Type: Mechanic's Lien Foreclosure

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

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

Judge: Jerome B. Abrams

Stewart Plumbing, Inc.,

Scott County Court File: 70-CV-08-12388

Plaintiff,

**STIPULATION OF PARTIAL DISMISSAL
WITHOUT PREJUDICE;**

vs.

**ORDER FOR PARTIAL DISMISSAL
WITHOUT PREJUDICE**

Eric L. Wegner and Jennifer Wegner,
Wells Fargo Bank, N.A., Cemstone
Products Corporation, Automated
Building Components, Inc., Elite Waste
Disposal, M.W. Johnson Construction,
Inc.,

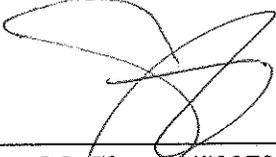
Defendants.

1. IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff Stewart Plumbing, Inc. ("Stewart"), Defendants Automated Building Components, Inc., Eric L. Wegner and Jennifer Wegner (the "Wegners") and Wells Fargo N.A., by and through their undersigned attorneys, that all of Automated Building Components, Inc.'s remaining claims shall be dismissed without prejudice and without an award of costs, disbursements or attorney's fees to any party.

CHRISTENSEN & LAUE, P.A.

Dated: October 21st, 2009

By: _____


Susanne M. Glasser (#0272978)
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Edina, Minnesota 55436
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Attorney for Plaintiff Stewart Plumbing, Inc.

BRUTLAG, HARTMANN & TRUCKE, P.A.

Dated: October 20, 2009

By Matthew R. Doherty

Ryan J. Trucke (#030590X)
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3555 Plymouth Boulevard, Suite 117
Minneapolis, Minnesota 55447
(763) 222-2507
Attorneys for Defendant
Automated Building Components, Inc.

COLEMAN, HULL & VAN VLIET, PLLP

Dated: October 28, 2009

By  _____

Katherine M. Melander (#180464)
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8500 Normandale Lake Boulevard
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Minneapolis, Minnesota 55437

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Attorneys for Defendants

Eric L. Wegner, Jennifer Wegner and

Wells Fargo Bank, N.A.

**ORDER FOR PARTIAL DISMISSAL WITHOUT PREJUDICE, PARTIAL DISMISSAL
WITH PREJUDICE AND PARTIAL JUDGMENT**

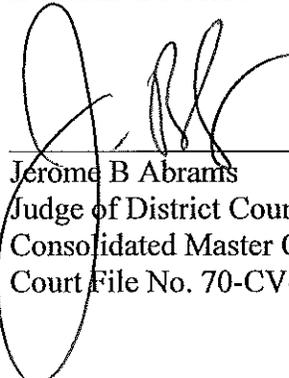
Pursuant to the foregoing Stipulation of Partial Dismissal entered into by and among Plaintiff Stewart Plumbing, Inc., Defendants Automated Building Components, Inc., Eric L. Wegner, Jennifer Wegner and Wells Fargo N.A., by and through their attorneys, the Court makes the following **ORDER**:

1. The parties' Stipulation of Partial Dismissal without Prejudice is hereby approved in all respects.
2. All of Automated Building Components, Inc.'s remaining claims are hereby dismissed **WITHOUT PREJUDICE** and without an award of costs, disbursements or attorneys' fees to any party.

SO ORDERED.

BY THE COURT:

Dated: Nov 19, 2009



Jerome B. Abrams
Judge of District Court
Consolidated Master Court File No. 70-CV-09-7343
Court File No. 70-CV-08-12388

JUDGMENT

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

DATE 11-20-09
GREGORY M. ESS
COURT ADMINISTRATOR, SCOTT COUNTY, MINN.

DEPUTY Audrey K. Brown