

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF SCOTT

FILED

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FIRST JUDICIAL DISTRICT
Case Type: Mechanic's Lien Foreclosure

SCOTT COUNTY COURTS

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-09-7916

Plaintiff,

Dakota County Court File: 19HA-CV-08-2523

vs.

**STIPULATION OF PARTIAL DISMISSAL
WITH PREJUDICE;**

Melissa Johnson and Trent Johnson,
Bell America Mortgage, d/b/a Bell
Mortgage, LLC, Fairfield Bay
Investments, LLC, XYZ Corporation,
ABC Partnership, John Doe and Mary
Roe,

**ORDER FOR PARTIAL DISMISSAL WITH
PREJUDICE AND PARTIAL JUDGMENT**

Defendants.

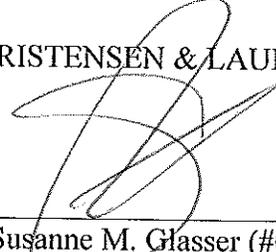
IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff Stewart Plumbing, Inc. ("Stewart"), Defendants Melissa Johnson, Trent Johnson (the "Johnsons"), Bell America Mortgage, d/b/a Bell Mortgage, LLC and Fairfield Bay Investments, LLC ("Fairfield"), by and through their undersigned attorneys, as follows:

1. Count I of Stewart Plumbing, Inc.'s Complaint for unjust enrichment against the Johnsons and Fairfield shall be dismissed with prejudice on the merits and without an award of costs, disbursements or attorney's fees to any party.

2. Any party to this Stipulation without prior notice to any other party may cause an order for partial judgment to be entered herein.

CHRISTENSEN & LAUE, P.A.

Dated: October 14, 2009

By: 
Susanne M. Glasser (#0272978)
5101 Vernon Avenue South, Suite 400
Edina, Minnesota 55436
(952) 927-8855
Attorney for Plaintiff Stewart Plumbing, Inc.

COLEMAN, HULL & VAN VLIET, PLLP

Dated: October 14, 2009

By: 
Katherine M. Melander (#180464)
Steven R. Little (#0304244)
8500 Normandale Lake Boulevard
Suite 2110
Minneapolis, Minnesota 55437
(952) 841-0001
*Attorneys for Defendants
Melissa Johnson, Trent Johnson,
Bell America Mortgage, d/b/a Bell Mortgage, LLC
and Fairfield Investments, LLC*

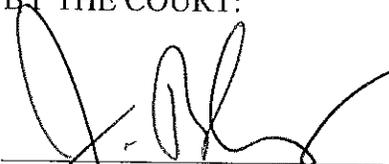
ORDER FOR PARTIAL DISMISSAL WITH PREJUDICE AND PARTIAL JUDGMENT

Pursuant to the foregoing Stipulation of Partial Dismissal entered into by and among Plaintiff Stewart Plumbing, Inc. ("Stewart"), Defendants Melissa Johnson, Trent Johnson (the "Johnsons"), Bell America Mortgage, d/b/a Bell Mortgage, LLC and Fairfield Investments, LLC ("Fairfield"), by and through their attorneys, the Court makes the following **ORDER**:

1. The parties' Stipulation of Partial Dismissal with Prejudice is hereby approved in all respects.
2. Count I of Stewart's Complaint against the Johnsons for unjust enrichment is hereby dismissed **WITH PREJUDICE**, on the merits and without an award of costs, disbursements or attorneys' fees to any party.

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

BY THE COURT:



Jerome B Abrams
Judge of District Court
Consolidated Master Court File No. 70-CV-09-7343
Court File No. 70-CV-09-7916

Dated: Nov 19, 2009

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 Andreyk Brown