

STATE OF MINNESOTA

FILED

DISTRICT COURT

COUNTY OF SCOTT

NOV 20 2009 A

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-09-8081

Plaintiff,

Wright County Court File No. 86-CV-08-5039

vs.

**STIPULATION OF PARTIAL DISMISSAL  
WITH PREJUDICE;**

Thomas R. Sansom and Kathleen C.  
Sansom, Mainstreet Bank, Bell  
America Mortgage, LLC, d/b/a Bell  
Mortgage, John Doe, Mary Roe, XYZ  
Corporation and ABC Partnership,

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

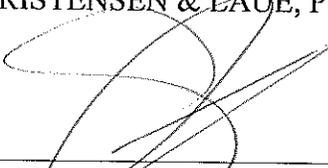
Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff Stewart Plumbing, Inc. ("Stewart"), Defendants Thomas R. Sansom, Kathleen C. Sansom (the "Sansoms") and Bell American Mortgage, LLC d/b/a Bell Mortgage, by and through their undersigned attorneys, as follows:

1. Count II of Stewart's Complaint, its unjust enrichment claim against the Sansoms, 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

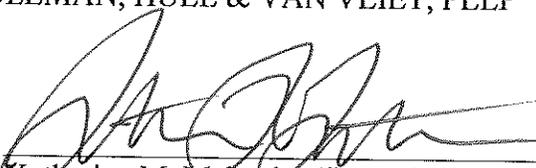
Edina, Minnesota 55436

(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*

*Thomas R. Sansom, Kathleen C. Sansom*

*and Bell America Mortgage, LLC, d/b/a Bell  
Mortgage*

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

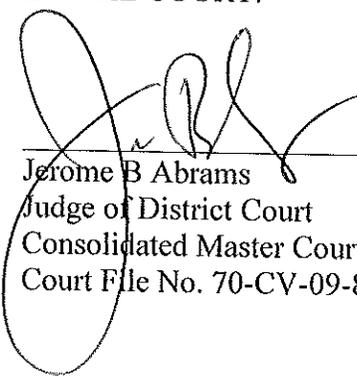
Pursuant to the foregoing Stipulation of Partial Dismissal entered into by and among Plaintiff Stewart Plumbing, Inc. ("Stewart"), Defendants Thomas R. Sansom, Kathleen C. Sansom ("Sansoms") and Bell America Mortgage, LLC, d/b/a Bell Mortgage, by and through their attorneys, the Court makes the following **ORDER**:

1. The parties' Stipulation of Partial Dismissal with Prejudice is hereby approved in all respects.
2. Count II of Stewart's Complaint against the Sansoms 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:

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-09-8081

**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