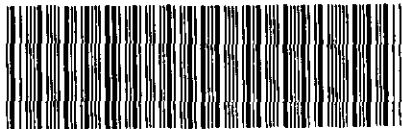
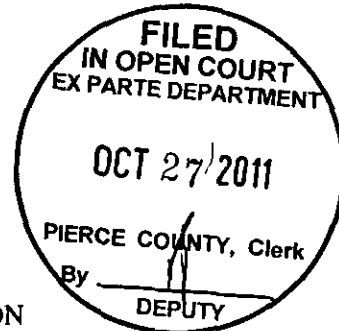


- Electronic Exparte (2391862) -



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SUPERIOR COURT OF WASHINGTON  
FOR PIERCE COUNTY

BANK OF AMERICA, N.A., a national banking ) No. 10-2-09966-8  
association, )  
Plaintiff, )  
STIPULATION AND ORDER FOR  
VOLUNTARY DISMISSAL OF CLAIMS

vs.

WINDERMERE-PUYALLUP/CANYON )  
ROAD, L.L.C., a Washington limited liability )  
company; ELDON J. MAXWELL, II, an )  
individual who resides in Washington State; and )  
MICHAEL RATCLIFFE, an individual who )  
resides in Washington State, )  
Defendants.

WINDERMERE-PUYALLUP/CANYON )  
ROAD, L.L.C., a Washington limited liability )  
company; ELDON J. MAXWELL, II, an )  
individual, )

Third Party Plaintiffs,

vs.

JOHN JACOBI, an individual, )  
Third Party Defendant.

Plaintiff Bank of America, N.A., Defendants and Third Party Plaintiffs Windermere-  
Puyallup/Canyon Road, L.L.C. and Eldon J. Maxwell, II, and Third Party Defendant John Jacobi

STIPULATION AND ORDER FOR  
VOLUNTARY DISMISSAL -- 1

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**GRAHAM & DUNN PC**  
Pier 70, 2801 Alaskan Way ~ Suite 300  
Seattle, Washington 98121-1128  
(206) 624-8300/Fax: (206) 340-9599

## - Electronic Exparte (2391862) -

1 (collectively, the "Settling Parties"), by and through their attorneys of record, stipulate and agree  
 2 that this matter has been settled with regard to the Settling Parties. The Settling Parties hereby  
 3 stipulate and agree that any and all claims that Plaintiff Bank of America, N.A. has asserted against  
 4 Defendants Windermere-Puyallup/Canyon Road, L.L.C. and Eldon J. Maxwell, II, and any and all  
 5 claims in this action that Defendants and Third Party Plaintiffs Windermere-Puyallup/Canyon  
 6 Road, L.L.C. and Eldon J. Maxwell, II, have asserted against Third Party Plaintiffs, should be  
 7 dismissed **with prejudice and without cost** to the Settling Parties.  
 8

9  
 10 DATED this 26<sup>th</sup> day of October, 2011.

11  
 12 GRAHAM & DUNN

JACKSON & CO.

13  
 14 By /s/ Aimee K. Decker  
 Diane M. Meyers, WSBA #40279  
 Aimee K. Decker, WSBA #41797  
 Attorneys for Bank of America, N.A.

By /s/ Ronald L. Jackson  
 Ronald L. Jackson, WSBA #14903  
 Attorneys for Windermere-  
 Puyallup/Canyon Road, L.L.C. and Eldon  
 J. Maxwell, II.

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 16  
 17 SIRIANNI YOUTZ SPOONEMORE

18  
 19 By /s/ Charles D. Sirianni  
 Charles D. Sirianni, WSBA #40421  
 Attorneys for John Jacobi

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 STIPULATION AND ORDER FOR  
 VOLUNTARY DISMISSAL -- 2

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ORDER

Based on the above Stipulation,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all claims asserted herein by Plaintiff Bank of America, N.A. against Defendants Windermere-Puyallup/Canyon Road, L.L.C. and Eldon J. Maxwell, II, and all claims asserted by Defendants and Third Party Plaintiffs Windermere-Puyallup/Canyon Road, L.L.C. and Eldon J. Maxwell, II, against Third Party Defendant John Jacobi, are dismissed with prejudice and without cost to any of the above-referenced parties.

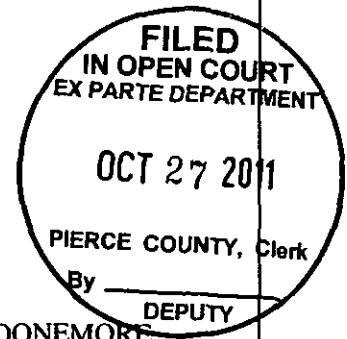
DONE IN OPEN COURT this 27~~th~~ day of October, 2011.

*[Handwritten Signature]*  
\_\_\_\_\_  
JUDGE/COURT COMMISSIONER

Presented by:  
GRAHAM & DUNN

Mark L. Gelman  
Court Commissioner

By /s/ Aimee K. Decker  
Aimee K. Decker, WSBA #41797  
Attorneys for Bank of America, N.A.



Approved as to form;  
Notice of Presentation waived:

JACKSON & CO.

SIRIANNI YOUTZ SPOONEMORE

By /s/ Ronald L. Jackson  
Ronald D. Jackson, WSBA #14903  
Attorneys for Windermere-Puyallup/Canyon Road, L.L.C., and Eldon J. Maxwell, II

By /s/ Charles D. Sirianni  
Charles D. Sirianni, WSBA #40421  
Attorneys for John Jacobi

STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL -- 3

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