

Closed

4

**EXHIBIT A**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

MICHAEL & MARILYN LOWERY,  
Plaintiffs,  
and  
FAIR HOUSING CENTER,  
Intervenor-Plaintiff,  
v.

BEZTAK PROPERTIES, INC., BEZTAK  
COMPANIES, INC., BILTMORE  
PROPERTIES COMPANIES, INC.,  
UPTOWN INVESTORS, L.L.C., UPTOWN  
INVESTORS, L.L.C. II, MONOGRAM  
HOMES; WARNER, CANTRELL &  
PADMOS, INC.; LOONEY, RICKS, KISS,  
and CANTON TOWNSHIP,  
Defendants.

Case #06-13408-NGE-MKM

Hon. Nancy G. Edmunds

Special Master Virginia Morgan

**FILED**

**JUL 20 2009**

**CLERK'S OFFICE  
U.S. DISTRICT COURT  
EASTERN MICHIGAN**

**STIPULATED ORDER OF DISMISSAL WITH PREJUDICE AND WITHOUT COSTS OR ATTORNEY FEES AS TO CLAIMS BY PLAINTIFFS MICHAEL LOWREY AND MARILYN LOWREY AGAINST ONLY Defendants BEZTAK PROPERTIES, INC.; BEZTAK COMPANIES, INC.; UPTOWN INVESTORS L.L.C.; MONOGRAM HOMES; WARNER, CANTRELL, & PADMOS, INC.; LOONEY, RICKS, KISS, ARCHITECTS; JAMES A. JACKSON, in his official capacity as DIRECTOR, WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES; and LORENZO BLOUNT, in his official capacity as WAYNE COUNTY DIRECTOR OF ROADS ("the Seven Defendants")**

At a session of Court, held in the United States Courthouse,  
in the City of Detroit, State of Michigan, on ~~May~~ July 20, 2009

7/20/2009


PRESENT: Nancy G. Edmunds  
The Honorable Nancy G. Edmunds  
United States District Judge

This matter having come before the Court upon the stipulation of Plaintiffs MICHAEL and MARILYN LOWREY, and Seven Defendants BEZTAK PROPERTIES, INC.; BEZTAK COMPANIES, INC.; UPTOWN INVESTORS L.L.C.; MONOGRAM HOMES; WARNER, CANTRELL, & PADMOS, INC.; LOONEY, RICKS, KISS, ARCHITECTS; JAMES A. JACKSON, in his official capacity as DIRECTOR, WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES; and LORENZO BLOUNT, in his official capacity as WAYNE COUNTY DIRECTOR OF ROADS, and the Court being fully advised in the premises and finding these Parties' intentions to be just and equitable,

**IT IS HEREBY ORDERED** that Plaintiffs Michael and Marilyn Lowrey's claims against the above listed Defendants only are dismissed with prejudice and each party shall bear its own costs and attorney's fees, except as set forth in the Settlement Agreement executed just prior to the entry of this Order.

**IT IS FURTHER ORDERED** that the Court shall retain jurisdiction to enforce the terms of the Settlement Agreement.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
The Honorable Nancy G. Edmunds  
United States District Court Judge

**STIPULATION SIGNATURES ON NEXT PAGE**

**So stipulated:**

T. L. Kitay via consent /1rg  
Theresa L. Kitay  
Theresa L. Kitay Attorney at Law  
Attorney for Defendant Looney, Ricks, Kiss

B.A. Rendeiro via consent /1rg  
Brett A. Rendeiro, Esq.  
Varnum LLP  
Attorneys for Defendant Warner, Cantrell & Padmos, Inc.

Leigh R. Greden  
Leigh Greden, Esq.  
Miller, Canfield, Paddock, Stone, PLC  
Attorneys for Defendants Beztak Properties, Inc.; Beztak Companies, Inc.;  
Uptown Investors L.L.C.; and Monogram Homes.

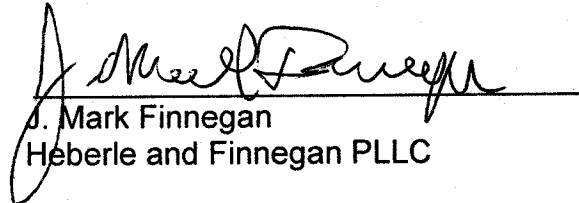
H. Ahmad via consent /1rg.  
Haaris Ahmad, Esq.  
Assistant Corporation Counsel,  
Wayne County  
Attorney for Defendant Wayne County

J. Mark Finnegan 6-9-09  
J. Mark Finnegan (P68050)  
Heberle & Finnegan, PLLC  
Attorneys for Plaintiffs Lowrey

**ACKNOWLEDGMENT AND AGREEMENT  
OF PLAINTIFFS' LEGAL COUNSEL**

J. Mark Finnegan hereby agrees to waive any claims he or his firm may have to recovery of costs or attorneys' fees as a result of the resolution of this dispute between the Lowreys and the Seven Defendants. J. Mark Finnegan is authorized to make this acknowledgment and agreement on behalf of the law firm of Heberle and Finnegan PLLC

Date: June 9, 2009

  
J. Mark Finnegan  
Heberle and Finnegan PLLC