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7 Gothic Landscaping, Inc.

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9 **SUPERIOR COURT OF ARIZONA**
10 **COUNTY OF MARICOPA**

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12
13 GALLERY COMMUNITY ASSOCIATION,
an Arizona non-profit corporation,

14 Plaintiff,

15 v.

16 K. HOVNIANIAN AT GALLERY, LLC, an
17 Arizona limited liability company; K.
HOVNIANIAN ARIZONA OPERATIONS,
18 LLC, an Arizona limited liability company;
K. HOVNIANIAN DEVELOPMENTS OF
19 ARIZONA, INC., an Arizona corporation; K.
HOVNIANIAN COMPANIES OF
20 ARIZONA, LLC, an Arizona limited liability
company; JOHN DOES I-X AND JANE
21 DOES I-X, WHITE CORPORATIONS I-X;
22 BLACK PARTNERSHIPS I-X; AND GRAY
LIMITED LIABILITY COMPANIES I-X,

23 Defendants.

24 K. HOVNIANIAN AT GALLERY, LLC, an
25 Arizona limited liability company; K.
HOVNIANIAN ARIZONA OPERATIONS,
26 LLC, an Arizona limited liability company;
K. HOVNIANIAN DEVELOPMENTS OF
27 ARIZONA, INC., an Arizona corporation; K.
HOVNIANIAN COMPANIES OF

Case No. CV2020-008714

**JOINT STIPULATION TO
DISMISS THIRD-PARTY
DEFENDANT GOTHIC
LANDSCAPING, INC. ONLY,
WITH PREJUDICE**

(Assigned to the Honorable
Katherine Cooper)

1 ARIZONA, LLC, an Arizona limited liability
2 company;

3 Third-Party Plaintiffs,

4 v.

5 CHAS ROBERTS AIR CONDITIONING,
6 INC., an Arizona corporation; DESERT
7 VISTA, INC., an Arizona corporation;
8 GOTHIC LANDSCAPING, INC., a
9 California corporation; HOME BUILDERS
10 SITE SERVICES OF ARIZONA, LLC, an
11 Arizona limited liability company;
12 LEBLANC BUILDING CO., INC., an
13 Arizona corporation; LIBERTY
14 CONSTRUCTORS, LLC, an Arizona limited
15 liability company, dba LIBERTY ARIZONA;
16 RENCO LLC, an Arizona limited liability
17 company, dba RENCO ROOFING; R/S
18 SERVICE & SUPPLY, INC., an Arizona
19 corporation; SARGON MASONRY
20 CONSTRUCTION, LLC, an Arizona limited
21 liability company; and DOES 1-50.

22 Third-Party Defendants,

23 Defendants/Third-Party Plaintiffs K. Hovnanian Arizona Operations, LLC, K.
24 Hovnanian at Gallery, LLC, and K. Hovnanian Phoenix Division, Inc. (collectively “K.
25 Hovnanian”), and Third-Party Defendant Gothic Landscaping, Inc., by and through
26 undersigned counsel and pursuant to Rule 41, *Arizona Rules of Civil Procedure*, hereby
27 stipulate and agree that K. Hovnanian’s claims against Third-Party Defendant Gothic
28 Landscaping, Inc., **only**, are dismissed with prejudice, each party to bear its own
attorneys’ fees and costs.

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A proposed form of order is submitted herewith.

DATED this 17th day of June, 2022.

Jaburg & Wilk, P.C.

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of the foregoing mailed this
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14 *Sargon Masonry Construction, LLC*

12 /s/ Kimberly Hayes
