IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Case No. 1:21-cv-01314-RBJ-NRN

GARY SCHWARTZ, Court-Appointed Receiver for Mark Ray, Custom Consulting & Product Services, LLC, MR Cattle Production Services, LLC, Universal Herbs, LLC, DBC Limited, LLC, RM Farm & Livestock, LLC, Sunshine Enterprises, and real property/equipment/inventory at 12700 East Lone Chimney Road, Glencoe, OK 74032,

Plaintiff,

v.

RONALD THROGMARTIN,

Defendant.

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

Having entered into a settlement agreement resolving the claims of Plaintiff, GARY SCHWARTZ ("Plaintiff"), against Defendant RONALD THROGMARTIN ("Defendant") (collectively, the "Parties"), the Parties hereby stipulate and jointly move that the claims in this action against Defendant, be dismissed with prejudice, with each party bearing its own costs and expenses (including attorney fees and expenses) incurred in connection with this action pursuant to F.R.C.P. 41(a)(1)(A)(ii).

Dated: July 13, 2022

Respectfully Submitted:

/s/ Katherine Roush John A. Chanin Katherine Roush Jason M. Spitalnick FOSTER GRAHAM MILSTEIN & CALISHER, LLP 360 South Garfield Street, 6th Floor Denver, Colorado 80209 *jchanin@fostergraham.com kroush@fostergraham.com jspitalnick@fostergraham.com* Phone: 303-333-9810 Facsimile: 303-333-9786

Attorneys for Plaintiff

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Attorney for Defendant Ronald Throgmartin

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of July, 2022, I electronically filed the foregoing with the Clerk of the Court using the ECF system, and served via electronic mail to the following:

Michael J. Mullen 9850 Nicholas Street, Suite 305 Omaha, NE 68114 T: 402-558-5000 F: 402-558-1100 E: <u>mike@mjmlawyer.com</u> *Attorney for Defendant Ronald Throgmartin*

/s/ Lucas Wiggins

Lucas Wiggins