

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Kreiger**

Civil Action No. **06-cv-00295-MSK**

CONTROLTEC, LLC,
ENERGEX ENTERPRISES, INC.

Plaintiffs,

v.

ANTHONY DOORS, INC. d/b/a
ANTHONY INTERNATIONAL,
ANTHONY DOORS, ANTHONY, INC.
a/k/a ANTHONY MANUFACTURING
CO., INC.,

Defendant.

JOINT STIPULATION TO DISMISS WITH PREJUDICE

The parties, by and through their respective undersigned attorneys, hereby jointly move the Court to dismiss this case with prejudice and state as follows:

1. Plaintiffs commenced this case by Complaint filed February 21, 2006.
2. Anthony filed its answer on March 21, 2006.
3. By Minute Order dated May 31, 2006, Magistrate Judge Hegarty approved the parties' stipulation to abate the case, pending binding arbitration.
4. The arbitration proceeding is pending.
5. The parties have settled their dispute and one of the terms of the settlement requires the parties to move the Court to dismiss this case with prejudice, with each party to pay its own costs and attorney's fees.

WHEREFORE, the parties stipulate to dismissal of this case with prejudice, each party to pay its own costs and attorney's fees and move the Court for an order consistent with their stipulation.

Dated this 11th day of April, 2007.

APPEL & LUCAS, P.C.

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