IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF IOWA EASTERN DIVISION

NAVIGATOR HEARTLAND GREENWAY LLC,) C	CIVIL NO. 6:23-cv-2030
Plaintiff,)	
v. BREMER COUNTY, IOWA; BREMER COUNTY BOARD OF SUPERVISORS; KEN KAMMEYER, in his official capacity as a Bremer County Supervisor; COREY CERWINSKE, in his official capacity as a Bremer County Supervisor; DUANE HILDEBRANDT, in his official capacity as a Bremer County Supervisor,, Defendants.)	JOINT STIPULATION FOR DISMISSAL VITHOUT PREJUDICE

COME NOW the parties, by and through undersigned counsel, and in accordance

with Fed. R. Civ. P. 41(a)(1)(ii), and stipulate and agree the above-captioned matter

should be dismissed without prejudice, each party to pay its own costs.

By: <u>/s/ Elizabeth A. Culhane</u> Elizabeth A. Culhane, #AT0013212 Katherine A. McNamara, #AT0013579 FRASER STRYKER PC LLO 500 Energy Plaza 409 South 17th Street Omaha, NE 68102 Telephone: (402) 341-6000 Facsimile: (402) 341-6000 Facsimile: (402) 341-8290 <u>eculhane@fraserstryker.com</u> <u>kmcnamara@fraserstryker.com</u> ATTORNEYS FOR PLAINTIFF By:/s/ Jason M. Craig

Jason M. Craig, AT0001707 Emily A. Kolbe, AT0012313 AHLERS & COONEY, P.C. 100 Court Avenue, Suite 600 Des Moines, IA 50309-2231 ATTORNEY FOR DEFENDANTS jcraig@ahlerslaw.com ekolbe@ahlerslaw.com Telephone: (515) 243-7611 ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

This is to certify that on the 20th day of October, 2023, a copy of the above and foregoing was filed with the Clerk of the Court using the CM/ECF system which sends notification of such filing to the following:

Jason M. Craig Emily A. Kolbe AHLERS & COONEY, P.C. 100 Court Avenue, Suite 600 Des Moines, IA 50309-2231 ATTORNEY FOR DEFENDANTS jcraig@ahlerslaw.com ekolbe@ahlerslaw.com

/s/ Elizabeth A. Culhane

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