

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MARK FAIRCHILD
Plaintiff

VS.

U.S. BANK TRUST NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY BUT SOLELY AS OWNER
TRUSTEE FOR VRMTG ASSET TRUST
Defendant

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C.A. 4:25-cv-1001

STIPULATION OF DISMISSAL WITH PREJUDICE

Mark Fairchild (“**Plaintiff**”) hereby files this Stipulation of Dismissal With Prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, and would respectfully show unto the Court as follows:

1. Plaintiff filed this lawsuit against Procedure Defendant, U.S. Bank Trust National Association, not in individual capacity but solely as Owner Trustee for VRMTG Asset Trust (“**Trustee**” or “**Defendant**”). Defendant removed the matter to this Court and the jurisdiction of this Court was not contested. The parties have resolved their differences that formed the basis of this action and all parties consent to this dismissal.

2. Plaintiff wishes to dismiss all claims against Defendant with prejudice.

3. In conformity with Rule 41(a)(1)(A)(ii), this Stipulation is signed by all parties who have appeared in the action.

4. By this Stipulation, it is hereby stipulated that all claims and causes of action brought by the Plaintiff against Defendant, are dismissed with prejudice to re-filing same or any part thereof.

5. Plaintiff and Defendant further stipulate that all costs of court are to be borne by the party incurring the same.

WHEREFORE, PREMISES CONSIDERED, all claims and causes of action brought by Plaintiff against Defendant are dismissed with prejudice by stipulation of all parties.

Respectfully submitted,

By: /s/ James Minerve

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By: /s/ Michael F. Hord Jr.

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ATTORNEYS-IN-CHARGE FOR DEFENDANT

CERTIFICATE OF SERVICE

On this 10th day of April, 2025, I hereby certify that a true and correct copy of the foregoing document was forwarded as follows:

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Via ECF

/s/ Michael F. Hord Jr.

Michael F. Hord Jr.