

STATE OF INDIANA)
)SS:
COUNTY OF JOHNSON)

IN THE JOHNSON SUPERIOR COURT

CAUSE NO. 41D01-0809-PL-00066

CITY OF GREENWOOD, INDIANA,)
FELSON and JANE BOWMAN,)
PARET LLC, and)
ZINKAN & BARKER DEVELOPMENT)
COMPANY, LLC,)
)
Plaintiffs,)
)
v.)
)
TOWN OF BARGERSVILLE, INDIANA,)
)
Defendant.)

**JOINT MOTION FOR ENTRY OF AGREED PRELIMINARY
INJUNCTION ORDER AND REQUEST TO VACATE HEARING**

Plaintiffs the City of Greenwood, Indiana, Felson and Jane Bowman, Paret LLC, and Zinkan & Barker Development Company, LLC (“Plaintiffs”), and Defendant the Town of Bargersville (“Defendant”), by their respective attorneys, jointly move the Court for entry of the attached Agreed Preliminary Injunction Order and to vacate the September 25, 2008 preliminary injunction hearing. In support of this Motion, the parties state:

1. On November 28, 2007, the Town of Bargersville (“Bargersville”) introduced Ordinance No. 2007-19, which was later amended, (the “Ordinance”) concerning the proposed annexation of approximately two thousand two hundred fifty three (2,253) acres of land along North State Road 135 (the “Territory”).

2. On September 17, 2008, Plaintiffs filed a “Complaint For Declaratory Judgment And Injunctive Relief” and “Motion For Preliminary Injunction And Request For A Hearing.”

3. The Court set a hearing on September 25, 2008, on Plaintiffs' "Motion For A Preliminary Injunction."

4. The parties informally have conferred and reached an agreed resolution with respect to Plaintiffs' "Motion For A Preliminary Injunction." Specifically, the parties have agreed to the entry of a preliminary injunction with the conditions and terms included in the attached "Agreed Preliminary Injunction Order."

5. The parties respectfully request that the Court enter the attached "Agreed Preliminary Injunction Order." Entry of the "Agreed Preliminary Injunction Order" will conserve the Court's and the parties' time and resources, narrow the issues to be resolved by the Court, and obviate the need for the September 25, 2008 hearing on Plaintiffs' "Motion For A Preliminary Injunction."

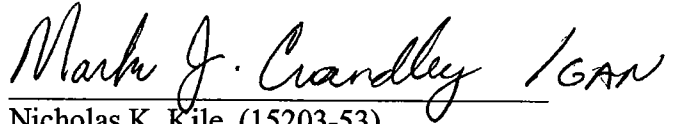
WHEREFORE, Plaintiffs the City of Greenwood, Indiana, Felson and Jane Bowman, Paret LLC, and Zinkan & Barker Development Company, LLC, and Defendant the Town of Bargersville, respectfully request that the Court enter the attached "Agreed Preliminary Injunction Order," vacate the September 25, 2008 preliminary injunction hearing, and grant all other appropriate relief for the parties consistent with the proposed Agreed Preliminary Injunction Order.

Respectfully submitted,



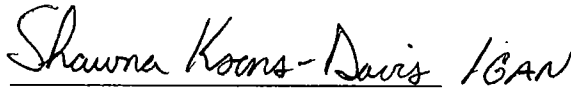
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