

IN THE
COURT OF APPEALS OF INDIANA

No. 20A-PL-00265

THE CITY OF BLOOMINGTON,
INDIANA,
Appellant-Plaintiff,

v.

222 HATS LLC, and
GERMAN AMERICAN BANCORP, Inc.,
Appellees-Defendants,

Appeal from the Monroe Circuit Court,
No. 53C01-1906-PL-001293,

The Honorable Holly M. Harvey,
Judge.

APPELLANT'S MOTION TO DISMISS APPEAL

The Appellant, City of Bloomington, respectfully moves to voluntarily dismiss this appeal in accordance with Indiana Rule of Appellate Procedure 36(A). Bloomington has decided to proceed with a redesigned project that does not incorporate Defendant's property. As a result, both parties have agreed that dismissal is the best course of action and that this matter is no longer suitable for appeal.

WHEREFORE, the Appellant City of Bloomington respectfully requests that this Court dismiss this appeal.

Respectfully submitted,

/s/ Larry D. Allen
Assistant City Attorney
Attorney No. 30505-53

Philippa M. Guthrie
Corporation Counsel
Attorney No. 16958-53

Michael R. Rouker
City Attorney
Attorney No. 28422-53

Attorneys for Appellant

VERIFICATION

I affirm under the penalties of perjury that the foregoing representations are true and correct to the best of my knowledge.

/s/ Larry D. Allen
Larry D. Allen
Assistant City Attorney

CERTIFICATE OF SERVICE

I certify that on March 20, 2020, the foregoing document was electronically filed using the Indiana E-Filing System (IEFS).

I also certify that on March 20, 2020, the foregoing document was served electronically via the IEFS to the following persons:

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