

IN THE IOWA DISTRICT COURT FOR HARDIN COUNTY

**RWE RENEWABLES DEVELOPMENT,
LLC,**

Plaintiff,

v.

**HARDIN COUNTY BOARD OF
SUPERVISORS,**

Defendant.

CASE NO. CVCV101650

VOLUNTARY DISMISSAL

On September 18, 2020 RWE Renewables filed this action to require defendant County to apply the zoning regulations under which the project had been planned. Trial is now set for April 6, 2022. However, due to changes in circumstances for the project, plaintiff's business unit has made a decision to deploy its resources elsewhere in Iowa. Because the project would no longer be able to move forward in the near term, even with a successful trial outcome, the case has effectively become moot. Accordingly, plaintiff RWE Renewables, pursuant to Iowa Rule of Civil Procedure 1.943, voluntarily dismisses this action.

Respectfully Submitted this 25th day of March, 2022.

By: */s/ Bret A. Dublinske*

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Certificate of Service

The undersigned certifies that on March 25, 2022, the foregoing document was electronically filed with the Clerk of Court using the EDMS system which will send a notice of electronic filing to all counsel of record registered with the EDMS system.

/s/ Natalie Rider
Natalie Rider