

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

DEREK EISENBERG,

Plaintiff,

Civil Action No. 2:24-cv-00729

v.

Honorable Thomas E. Johnston

KERI FERRO, in her Official Capacity
as the Executive Director of the West
Virginia Real Estate Commission, *et al.*,

Defendants.

**STIPULATION OF VOLUNTARY DISMISSAL
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(ii)**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties and their respective counsels, that the above-captioned action is voluntarily dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). All parties are to bear their own fees and costs.

DATED: April 30, 2025

Respectfully submitted,

JOHN B. McCUSKEY
ATTORNEY GENERAL

/s/ David E. Gilbert

Michael R. Williams (WV Bar # 14148)

Solicitor General

Anthony D. Eates II (WV Bar # 7708)

Deputy Attorney General

David E. Gilbert (WV Bar # 12157)

Deputy Attorney General

State Capitol Complex

Building 1, Room E-26

Charleston, WV 25305

michael.r.williams@wvago.gov

anthony.d.eates@wvago.gov

dgilbert@wvago.gov

Telephone: (304) 558-2021

Facsimile: (304) 558-0140

Attorneys for Defendants

/s/ J. Zak Ritchie

J. Zak Ritchie (WV Bar # 11705)

HISSAM FORMAN DONOVAN

RITCHIE PLLC

P.O. Box 3983

Charleston, WV 25339

zritchie@hfdrlaw.com

Telephone: (681) 265-3802

Facsimile: (304) 982-8056

Anastasia Boden (Cal. Bar. No. 281911)*

PACIFIC LEGAL FOUNDATION

555 Capitol Mall, Suite 1290

Sacramento, CA 95814

ABoden@pacificlegal.org

Telephone: (916) 419-7111

Brandon Beyer (Minn. Bar No. 0403249)*

PACIFIC LEGAL FOUNDATION

3100 Clarendon Boulevard, Suite 1000

Arlington, VA 22201

BBeyer@pacificlegal.org

Telephone: (202) 888-6881

*Visiting Attorney

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I filed the foregoing document with the Clerk for the U.S. District Court for the Southern District of West Virginia through the CM/ECF system, which will send notice of said filing to all counsel of record.

DATED: April 30, 2025

/s/ David E. Gilbert
David E. Gilbert (WV Bar. # 12157)