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**JS-6**

7 Attorneys for Plaintiff Los Angeles Dodgers LLC

8 UNITED STATES DISTRICT COURT  
 9 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 10 WESTERN DIVISION

11  
12 LOS ANGELES DODGERS LLC,

CASE NO. CV-08-8082 JFW (CTx)

13 Plaintiff,

**STIPULATION AND ORDER OF  
DISMISSAL**

14 v.

15 Discovery Cut-off: January 5, 2010  
 Pre-trial Conference Date: March 5, 2010  
 Trial Date: March 23, 2010

16 ACE AMERICAN INSURANCE  
COMPANY,

17 Defendant.

18  
19 **STIPULATION**

20 The parties hereto, through their respective undersigned counsel, are agreed and hereby  
21 stipulate as follows:

- 22 1. On December 8, 2008, Los Angeles Dodgers LLC (the “Dodgers”) filed this  
 23 action against ACE American Insurance Company (“ACE”), asserting claims for breach of  
 24 contract, bad faith, deceit, and unfair business practices, based on ACE’s alleged failure to pay  
 25 benefits due under an insurance policy, and on March 4, 2009, ACE answered, denying all  
 26 material allegations;
- 27 2. On July 6, 2009, the Dodgers moved in limine to determine the burden of proof;
- 28 3. On July 13, 2009, ACE moved for summary judgment on the Dodgers’ claims or,

1 in the alternative, partial summary judgment on the burden of proof;

2 4. On July 22, 2009, the Court denied the Dodgers' motion in limine without  
3 prejudice to its being noticed for hearing on March 12, 2010, the date set by the Court for  
4 hearing on motions in limine;

5 5. On July 30, 2009, the Court denied ACE's motion for summary judgment and  
6 denied ACE's partial summary judgment motion without prejudice to its being brought as a  
7 motion in limine;

8 6. The parties desire to resolve fully and finally any remaining disagreements  
9 between them and have settled this action by agreement.

10 Accordingly, this action should be dismissed with prejudice, with each party to bear its  
11 own costs and attorneys' fees.

12 The parties respectfully request that the Court enter its order in accordance herewith.

13 Dated: September 9, 2009

LATHAM & WATKINS LLP  
G. Andrew Lundberg  
Alexandra A. Roje

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15  
16 By /s/  
Alexandra A. Roje  
Attorneys for Plaintiff  
Los Angeles Dodgers LLC

17  
18 Dated: September 9, 2009

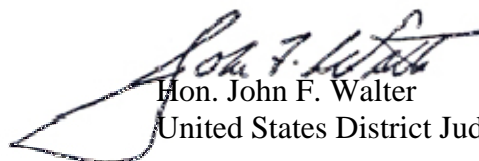
O'MELVENY & MYERS LLP  
Richard B. Goetz  
Catalina Joos Vergara

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21 By /s/  
Catalina Joos Vergara  
Attorneys for Defendant  
ACE American Insurance Company

22  
23  
24 **ORDER**

25 Good cause therefore appearing, IT IS SO ORDERED.

26  
27 Dated: September 16, 2009

28  
  
Hon. John F. Walter  
United States District Judge