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| 9 | UNITED STAT | ES DISTRICT COURT |
| 10 | CENTRAL DIST | RICT OF CALIFORNIA |
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| 12 | NATIONWIDE LIFE AND | Case No. CV 12-9645-GW(JEMx) |
| 13 | ANNUITY INSURANCE COMPANY, | ORDER ON STIPULATION OF |
| 14 | Plaintiff, | ORDER ON STIPULATION OF DISMISSAL OF NICHOLAS S. KAHRILAS WITH PREJUDICE |
| 15 | V. | |
| 16 | JOHN N. ALPHSON and | |
| 17 | NICHOLAS S. KAHRILAS, | |
| 18 | Defendants. | |
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| 28 Drinker Biddle & | | |
| REATH LLP Attorneys At Law Philadelphia | [PROPOSED] ORDER ON STIPULATION | ON OF DISMISSAL OF NICHOLAS S. KAHRILAS |

| 1 | It having been stipulated by and between the parties to this action through | |
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| 2 | their designated counsel of record, the Court hereby orders that Defendant Nicholas | |
| 3 | S. Kahrilas be and hereby is dismissed with prejudice, and that each party shall bear | |
| 4 | its own attorneys' fees and costs. | |
| 5 | IT IS SO ORDERED. | |
| 6 | | |
| 7 | Dated: August 1, 2013 Minge H. Win | |
| 8 | Honorable George H. Wu United States District Judge | |
| 9 | enned States District studge | |
| 10 | | |
| 10 | Respectfully submitted, | |
| 11 | DRINKER BIDDLE & REATH LLP | |
| 12 | 1800 Century Park East, Suite 1400 Los Angeles, California 90067-1517 Tel: (310) 203-4000 | |
| 13 | Tel: (310) 203-4000 Fax: (310) 229-1285 | |
| 15 | Tux. (510) 229 1205 | |
| 15 | By: /s/ Paul M. Gelb | |
| 10 | Paul M. Gelb Attorneys for Plaintiff | |
| 18 | NATIONWIDE LIFE AND ANNUITY INSURANCE COMPANY | |
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| ∠ð Drinker Biddle & | 1 | |
| REATH LLP Attorneys At Law Philadelphia | [PROPOSED] ORDER ON STIPULATION OF DISMISSAL OF NICHOLAS S. KAHRILAS | |

| 1 | CERTIFICATE OF SERVICE | | |
|---|---|--|--|
| 2 | STATE OF CALIFORNIA, COUNTY OF LOS ANGELES | | |
| 3 | I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Drinker Biddle & Reath LLP, | | |
| 4 | 1800 Century Park East, Suite 1400, Los Angeles, California 90067. | | |
| 5 | On July 29, 2013, I served the foregoing document described as: [PROPOSED] ORDER ON STIPULATION OF DISMISSAL OF NICHOLAS S. KAHRILAS WITH | | |
| 6 | PREJUDICE on the interested parties in this action by transmitting a copy as follows: | | |
| 7 | SEE ATTACHED SERVICE LIST | | |
| 8 | | | |
| 9 10 | X By ELECTRONIC FILING (I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel denoted on the attached Service List.) | | |
| 11 | By PERSONAL SERVICE | | |
| 12 | by personally delivering such envelope to the addressee. | | |
| 13 | by causing such envelope to be delivered by messenger to the office of the addressee. | | |
| 14 | By UNITED STATES MAIL (I am readily familiar with the firm's practice of | | |
| 15 | collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid | | |
| 16 | at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.) | | |
| 17 | By OVERNIGHT DELIVERY (by causing such envelope to be delivered to the office | | |
| 18 | of the addressee by overnight delivery via Federal Express or by other similar overnight delivery service.) | | |
| 19 | By FAX TRANSMISSION | | |
| 20 | (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct. | | |
| 21 22 | X (Federal) I declare that I am employed in the office of a member of the bar of this court | | |
| | at whose direction the service was made. | | |
| 23 | Executed on July 29, 2013, at Los Angeles, California. | | |
| 24 | | | |
| 25 | SHANTA TEEKAH Signature | | |
| 26 | Signature | | |
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| 28 | | | |
| DRINKER BIDDLE & REATH LLP Attorneys At Law Philadelphia | [PROPOSED] ORDER ON STIPULATION OF DISMISSAL OF NICHOLAS S. KAHRILAS | | |

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| 1 | SERVICE LIST |
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| 2 | Nationwide Life and Annuity Insurance Company v. John N. Alphson, et al. |
| 3 | USDC Case No. 2:12-cv-09645-GW-JEM |
| 4 | |
| 5 | Nicholas F. Barton, Esq. nicholas@brentwoodptrs.com; office@brentwoodptrs.com |
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| 28 Drinker Biddle & | |
| REATH LLP Attorneys At Law Philadelphia | [PROPOSED] ORDER ON STIPULATION OF DISMISSAL OF NICHOLAS S. KAHRILAS |