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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION**

FIDELITY & GUARANTY INSURANCE
COMPANY, an Iowa corporation,
TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA, a Connecticut
corporation,

Plaintiff,

v.

KB HOME COASTAL, INC., et al

Defendant.

Case No. 5:13-cv-00946 JAK
(DTBx)

Assigned To District Judge John A.
Kronstadt
Assigned To Magistrate Judge David
T. Bristow

JUDGMENT

JS-6

FILE DATE: May 23, 2013

AND RELATED COUNTERCLAIM

The Court having granted in part the Motion for Partial Summary Judgment filed by Plaintiffs and Cross-Defendants Fidelity And Guaranty Insurance Company and Travelers Property Casualty Company of America (collectively, “Travelers”) against defendants and cross-complainants KB Home Coastal, Inc., KB Home Sacramento, Inc., KB Home Central Valley, Inc., Kaufman & Broad of Sacramento and KB Home (collectively “KB Home”). Specifically, this Court granted Travelers’


1 motion as to KB Home's cause of action for breach of the covenant of good faith and
2 fair dealing as well as Travelers' and KB Home's causes of action for declaratory
3 relief regarding the issue of KB Home's entitlement to independent counsel.

4 Travelers' remaining causes of action for equitable reimbursement and breach
5 of contract and KB Home's remaining cause of action for breach of contract were
6 dismissed without prejudice on May 15, 2015. As such, all claims in the action have
7 been disposed of.

8 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that
9 judgment is entered in favor of Travelers, and against KB Home on KB Home's cause
10 of action for Breach of the Covenant of Good Faith And Fair Dealing as well as KB
11 Home's and Travelers' cause of action for declaratory relief regarding the right to
12 independent counsel; that KB Home shall take nothing from Travelers; and that
13 Travelers may recover an award of costs, in an amount to be determined, following
14 the filing of the appropriate application and the consideration of any objections.

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Dated: June 11, 2015



JOHN A. KRONSTADT
United States District Judge