

1 LINDA WENDELL HSU (SBN 162971)  
 2 JAMES R. TENERO (SBN 201023)  
 3 BENJAMIN R. LARSON (SBN 235325)  
 SELMAN BREITMAN LLP  
 33 New Montgomery, Sixth Floor  
 San Francisco, CA 94105  
 Telephone: (415) 979-0400  
 Facsimile: (415) 979-2099

5 Attorneys for Plaintiff  
 6 JOHN DEERE INSURANCE COMPANY  
 n/k/a SENTRY SELECT INSURANCE  
 7 COMPANY

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA—FRESNO DIVISION

11 JOHN DEERE INSURANCE COMPANY  
 n/k/a SENTRY SELECT INSURANCE  
 12 COMPANY,

13 Plaintiff,

14 v.

15 SANDERS OLDSMOBILE-CADILLAC,  
 INC., CLAUDE KENNETH SANDERS,  
 16 JASON SANDERS; SMITH CHEVROLET  
 COMPANY, INC., LAWRENCE T. SMITH;  
 17 ROXANNE CORDOVA, AARON ENRIQUE,  
 YOLANDA MUNOZ, KATHLEEN O.  
 18 ESPINOZA, ETHAN RIX and HELEN  
 MOORE individually and as the Dominguez  
 19 class representatives; and DOES 1 through 50,

20 Defendants.

CASE NO. 1:07-CV-00010-LJO-SMS

**STIPULATION OF DISMISSAL, WITHOUT  
 PREJUDICE, OF JASON SANDERS;  
 ORDER**

21 WHEREAS Plaintiff JOHN DEERE INSURANCE COMPANY n/k/a SENTRY SELECT  
 22 INSURANCE COMPANY and Defendant JASON SANDERS have disputed whether Defendant  
 23 JASON SANDERS should be a party to this lawsuit; and

24 WHEREAS Defendant JASON SANDERS has represented that he was never a  
 25 shareholder of Defendant SANDERS OLDSMOBILE-CADILLAC, INC. and did not tender the  
 26 defense of the underlying *Dominguez* Action to Plaintiff JOHN DEERE INSURANCE  
 27 COMPANY n/k/a SENTRY SELECT INSURANCE COMPANY,

28 IT IS HEREBY STIPULATED by and between Plaintiff JOHN DEERE INSURANCE

Selman Breitman LLP  
 ATTORNEYS AT LAW

1 COMPANY n/k/a SENTRY SELECT INSURANCE COMPANY and Defendants SANDERS  
2 OLDSMOBILE-CADILLAC, INC., CLAUDE KENNETH SANDERS, JASON SANDERS,  
3 SMITH CHEVROLET COMPANY, INC. and LAWRENCE T. SMITH, by and through their  
4 respective counsel of record, that Defendant JASON SANDERS is dismissed from this action,  
5 without prejudice, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1)(A)(2).

6 IT IS SO STIPULATED.

7 DATED: April 23, 2009

SELMAN BREITMAN LLP

8

9

By: /s/

10

LINDA WENDELL HSU

11

JAMES R. TENERO

12

BENJAMIN R. LARSON

13

Attorneys for Plaintiff JOHN DEERE INSURANCE  
COMPANY n/k/a SENTRY SELECT INSURANCE  
COMPANY

14

DATED: April 23, 2009

LAW OFFICES OF MICHAEL J.F. SMITH

15

16

By: /s/

17

MICHAEL J.F. SMITH

18

Attorney for Defendants SANDERS

19

OLDSMOBILE-CADILLAC, INC., CLAUDE  
KENNETH SANDERS, JASON SANDERS, SMITH  
CHEVROLET COMPANY, INC. and LAWRENCE  
T. SMITH

20

**ORDER**

21 The Stipulation of Dismissal, Without Prejudice, of Jason Sanders having been read and  
22 considered, and good cause appearing therefor,

23 Defendant Jason Sanders is hereby dismissed, without prejudice, from this action.

24 IT IS SO ORDERED.

25 Dated: April 23, 2009

/s/ Lawrence J. O'Neill

26

Honorable LAWRENCE J. O'NEILL

27

United States District Judge

28