

1 TROUTMAN SANDERS LLP
 Terrence R. McInnis, Bar No. 155416
 2 terrence.mcinnis@troutmansanders.com
 Kevin F. Kieffer, Bar No. 192193
 3 kevin.kieffer@troutmansanders.com
 Peter R. Lucier, Bar No. 246397
 4 peter.lucier@troutmansanders.com
 5 5 Park Plaza, Suite 1400
 Irvine, CA 92614-2545
 Telephone: 949.622.2700
 6 Facsimile: 949.622.2739

7 *Attorneys for Plaintiffs Allied World National*
Assurance Company and Allied World Assurance
 8 *Company (U.S.) Inc.*

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UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

ALLIED WORLD NATIONAL
 ASSURANCE COMPANY, a New
 Hampshire corporation, and ALLIED
 WORLD ASSURANCE COMPANY (U.S.)
 INC., a Delaware corporation,

Plaintiffs,

v.

SK PM CORP., a California corporation aka
 "S.K. Foods PM Corp.," SK FOODS, L.P., a
 California limited partnership, FREDERICK
 SCOTT SALYER, an individual,
 BLACKSTONE RANCH, a California
 corporation aka "Blackstone Ranch Calif 'S'
 Corp.," LISA CRIST, an individual, MARK
 MCCORMICK, an individual,

(caption continued on next page)

Case No. 1:10-CV-01262-LJO-JLT

Hon. Lawrence J. O'Neill
 Hon. Jennifer L. Thurston

**NOTICE OF DISMISSAL OF
 DEFENDANT MARK MCCORMICK
 PURSUANT TO FEDERAL RULE OF
 CIVIL PROCEDURE 41(a)**

TROUTMAN SANDERS LLP
 5 PARK PLAZA
 SUITE 1400
 IRVINE, CA 92614-2545

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SCOTT SALYER REVOCABLE TRUST, a trust, THE CAROLINE GAZELLE SALYER IRREVOCABLE TRUST, a trust, THE STEFANIE ANN SALYER IRREVOCABLE TRUST, a trust, SS FARMS, LLC, a California limited liability company, SK FOODS, LP 401K PLAN, an ERISA plan aka “SK Foods L.P. Blackstone Ranch & SK Foods L.P. 401K Plan,” SARS, LLC, a California limited liability company, CSSS LP, a California limited partnership d/b/a Central Valley Shippers, SK FOODS LLC, a Nevada limited liability company, S.K. FOODS PM CORP., an entity or a d/b/a of unknown legal capacity, SKF AVIATION, LLC, a California limited liability company, SSC FARMING, LLC, a California limited liability company, RHM INDUSTRIAL/SPECIALTY FOODS, INC., a California corporation d/b/a Colusa County Canning Company and d/b/a SK Foods – Colusa Canning, CARMEL WINE MERCHANTS LLC, a California limited liability company, CIRCLE PACIFIC LTD., a New Zealand company, SUNRISE COAST JAPAN, an entity or a d/b/a of unknown legal capacity, SSC FARMS I, LLC, a California limited liability company, SSC FARMS II, LLC, a California limited liability company, SK FARM SERVICES, LLC, a California limited liability company, SK FROZEN FOODS, LLC, a California limited liability company, SALYER AMERICAN INSURANCE SERVICES, a California limited liability company, SSC FARMS III, LLC, a California limited liability company, SALYER AMERICAN COOLING, a general partnership, SALYER WESTERN COOLING COMPANY, a general partnership, YUMA AMERICAN COOLING CORPORATION, an entity or a d/b/a of unknown legal capacity, SAWTOOTH COOLING, LLC, a California limited liability company, and SALYER AMERICAN FRESH FOODS, a California corporation,

Defendants.

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Plaintiffs Allied World National Assurance Company (“Allied World”) and Allied World Assurance Company (U.S.) Inc. (“AWAC”) (collectively “Plaintiffs”) hereby dismiss their Complaint against Defendant Mark McCormick only, with prejudice. Plaintiffs dismiss Defendant Mark McCormick from this action, with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), as Defendant McCormick has not yet filed an answer or motion for summary judgment.

Dated: October 17, 2012

Respectfully submitted,

TROUTMAN SANDERS LLP

By: /s/ Peter R. Lucier

Terrence R. McInnis
Kevin F. Kieffer
Peter R. Lucier

Attorneys for Plaintiffs Allied World National Assurance Company and Allied World Assurance Company (U.S.) Inc.

ORDER

Pursuant to the foregoing, this Court dismisses Plaintiffs’ Complaint against Defendant Mark McCormick, with prejudice.

IT IS SO ORDERED.

Dated: October 19, 2012

/s/ Lawrence J. O’Neill
UNITED STATES DISTRICT JUDGE