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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION**

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10 BOARDS OF TRUSTEES OF THE)
ROOFERS LOCAL 27 HEALTH AND)
11 WELFARE TRUST FUND, NATIONAL)
ROOFING INDUSTRY PENSION PLAN,)
12 ROOFERS LOCAL 27, FRESNO)
ROOFING CONTRACTORS VACATION)
13 FUND, and ROOFERS LOCAL 27)
APPRENTICESHIP TRAINING FUND,)

14 Plaintiffs,)
15)

16 v.)

17 FRYER ROOFING CO., INC., a California)
corporation; DAVID BRUCE FRYER;)
18 LEIGH ANN FRYER; INTERNATIONAL)
FIDELITY INSURANCE COMPANY;)
and DOES 1 through 50, inclusive,)

19 Defendants.)
20)

Case No. 1:13-CV-01660-AWI-MJS

**STIPULATION AND ORDER TO
DISMISS OLD REPUBLIC SURETY
COMPANY WITH PREJUDICE**

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22 Plaintiffs Boards of Trustees of the Roofers Local 27 Health and Welfare Trust Fund,
23 Roofers Local 27, Fresno Roofing Contractors Vacation Fund and Roofers Local 27
24 Apprenticeship Training Fund (collectively, “Plaintiffs”)¹ and defendant Old Republic Surety
25 Company (“Old Republic,” referred to as DOE 41 in the original Complaint) hereby stipulate,
26 and request an order, as to the following:
27 _____

28 ¹ Former plaintiff National Roofing Industry Pension Plan previously dismissed its claims
against all Defendants, and is therefore no longer a party to this action, or this Stipulation.

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