

1 LEE TRAN & LIANG LLP
2 Geoffrey T. Tong (Bar No. 140312)
3 geoff.tong@ltlw.com
4 Cyrus M. Khojandpour (Bar No. 260233)
5 cyrus.khojandpour@ltlattorneys.com
6 601 S. Figueroa Street, Suite 3900
7 Los Angeles, California 90017
8 Tel.: 213-612-8900
9 Fax: 213-612-3773

10 *Attorneys for Defendant*
11 MID-WEST NATIONAL LIFE INSURANCE
12 COMPANY OF TENNESSEE

13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**

15 SAINT AGNES MEDICAL CENTER, a
16 California non-profit public benefit
17 corporation,

18 Plaintiff,

19 v.

20 MID-WEST NATIONAL LIFE
21 INSURANCE COMPANY OF
22 TENNESSEE, a California for-profit
23 corporation; and DOES 1 THROUGH 10,
24 INCLUSIVE,

25 Defendants.

CASE NO.: 1:14-cv-00078-LJO-SKO

[Complaint Filed: November 4, 2013]

**FRCP RULE 41 STIPULATION
FOR DISMISSAL WITH
PREJUDICE AND ORDER
THEREON**

Trial Date: None

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JOINT STIPULATION

WHEREAS Plaintiff Saint Agnes Medical Center (“Saint Agnes”), wishes to dismiss this action with prejudice in exchange for a waiver of collectible costs and/or attorneys’ fees by Defendant Mid-West National Life Insurance Company of Tennessee (“Mid-West”); and

WHEREAS Defendant Mid-West is willing to accept said dismissal with prejudice by Plaintiff Saint Agnes and is willing to waive all costs and/or attorneys’ fees in exchange; and

WHEREAS, the interests of justice would be served by such dismissal and waiver;

NOW, THEREFORE, IT IS STIPULATED by and between the parties hereto, through their respective counsel that, pursuant to Federal Rule of Civil Procedure 41(a), this matter be dismissed with prejudice pursuant to the terms outlined above and with permission of the Court.

IT IS SO STIPULATED.

DATED: January 31, 2014

LEE TRAN & LIANG, LLP

By /s/ Geoffrey Tong
Geoffrey T. Tong
Cyrus M. Khojandpour
Attorneys for Defendant Mid-West National
Life Insurance Company of Tennessee

DATED: January 31, 2014

STEPHENSON, ACQUISTO &COLMAN

By /s/ Shadi Shayan
Melanie Joy Young
Barry Sullivan
Richard A. Lovich
Shadi Shayan
Attorneys for Plaintiff Saint Agnes Medical
Center

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ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES AND GOOD CAUSE APPEARING, IT IS ORDERED that the above-entitled action and Defendant Mid-West National Life Insurance Company of Tennessee named in the Complaint [ECF No. 1] on file herein are dismissed with prejudice pursuant to Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Dated: **January 31, 2014**

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