

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

**TRAVELERS INDEMNITY COMPANY OF
CONNECTICUT, et al.,**

Plaintiffs,

v.

CENTEX HOMES, et al.,

Defendants.

1:14-cv-793-LJO-BAM

**ORDER RE REQUEST FOR
DISMISSAL (Doc. 34)**

On February 20, 2015, Plaintiffs filed a request for this Court to dismiss without prejudice the following claims asserted in their first amended complaint (“the FAC”) against Defendants: (1) Plaintiffs’ “first, second, and third counts for declaratory relief regarding whether [Defendants] breached the cooperation clause in the insurance policies”; (2) Plaintiffs’ “first, second, and third counts for breach of contract”; and (3) Plaintiffs’ “cause of action for equitable reimbursement.” Doc. 34 at 2.

Pursuant to Plaintiffs’ request and Fed. R. Civ. P. 41(a)(1)(A)(i), the Court ORDERS that Plaintiffs’ following claims asserted in the FAC are DISMISSED without prejudice: Plaintiffs’ “first, second, and third counts for declaratory relief regarding whether [Defendants] breached the cooperation clause in the insurance policies”; (2) Plaintiffs’ “first, second, and third counts for breach of contract”; and (3) Plaintiffs’ “cause of action for equitable reimbursement.”

The following claims originally asserted in the FAC remain outstanding: Plaintiffs’ first, second,

1 and third counts for declaratory relief regarding Defendants' claimed entitlement to independent
2 counsel.

3 **SO ORDERED**

4 **Dated: February 24, 2015**

/s/ Lawrence J. O'Neill
United States District Judge