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

TRAVELERS INDEMNITY COMPANY OF CONNECTICUT, a Connecticut corporation;	)	Case No. 1:14-cv-00992 LJO GSA
and TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA, a Connecticut corporation,	)	
	)	<b>ORDER ON REQUEST FOR DISMISSAL</b>
	)	<b>WITHOUT PREJUDICE OF CERTAIN</b>
	)	<b>CLAIMS OF PLAINTIFFS’ THIRD</b>
Plaintiffs,	)	<b>AMENDED COMPLAINT</b>
	)	
v.	)	
	)	
CENTEX HOMES, a Nevada general partnership, CENTEX REAL ESTATE CORPORATION, a Nevada corporation; and DOES 1 through 10 inclusive,	)	
	)	
Defendants.	)	

Pursuant to the stipulation by and between plaintiffs TRAVELERS INDEMNITY COMPANY OF CONNECTICUT, and TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA (collectively “TRAVELERS”) and defendants CENTEX HOMES and CENTEX REAL ESTATE CORPORATION (collectively “CENTEX”), and good cause appearing therefore,

IT IS HEREBY ORDERED that the following claims asserted by TRAVELERS against CENTEX within the Third Amended Complaint filed by TRAVELERS on November 6, 2014, are voluntarily DISMISSED WITHOUT PREJUDICE, with each party to bear its own costs as to those claims:

- TRAVELERS’ first and second counts for declaratory relief regarding whether CENTEX breached the cooperation clause in the insurance policies.

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- TRAVELERS’ first and second counts for breach of contract.
- TRAVELERS’ cause of action for equitable reimbursement.

The following claims asserted by TRAVELERS against CENTEX within the Third Amended Complaint filed by TRAVELERS on November 6, 2014, remain outstanding:

- TRAVELERS’ first and second count for declaratory relief regarding CENTEX’s claimed entitlement to independent counsel.

IT IS SO ORDERED.

**SO ORDERED**  
**Dated: January 15, 2015**

**/s/ Lawrence J. O’Neill**  
**United States District Judge**