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**FILED**  
**APR 27 2016**  
CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY DEPUTY CLERK *MC*

11 **UNITED STATES DISTRICT COURT**

12 **EASTERN DISTRICT OF CALIFORNIA-FRESNO DIVISION**

13 \* \* \*

14 BOARD OF TRUSTEES OF IBEW LOCAL  
UNION NO. 100 PENSION TRUST FUND;  
15 JOINT ELECTRICAL INDUSTRY  
TRAINING TRUST FUND; and IBEW  
16 DISTRICT NO. 9 PENSION PLAN TRUST  
FUND,

17 Plaintiffs,

18 v.

19 POWER DESIGN ELECTRIC, INC.; JOHN  
20 ALBERT GLOVER; ROBERT COREY  
GLOVER; AMERICAN CONTRACTORS  
21 INDEMNITY COMPANY; and DOES 1  
through 50,

22 Defendants.

Case No. 1:14-CV-01941-SMS

**STIPULATION AND ORDER TO  
DISMISS AMERICAN  
CONTRACTORS INDEMNITY  
COMPANY PURSUANT TO  
SETTLEMENT AGREEMENT**

[FRCP 41]

24 Plaintiffs Boards of Trustees of the IBEW Local Union No. 100 Pension Trust Fund,  
25 Joint Electrical Industry Training Trust Fund, IBEW District No. 9 Pension Plan Trust Fund,  
26 National Electric Benefit Funds and Family Medical Care Plan (collectively, "Plaintiffs") and  
27 defendants Power Design Electric Inc., John Albert Glover, Robert Corey Glover and American  
28 Contractors Indemnity Company (collectively, "Defendants") hereby stipulate, and request an

1 order, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1)(A)(ii), as to the following:

- 2 1. that the Court dismiss defendant American Contractors Indemnity Company, *with*
- 3 prejudice, from the present action, pursuant to the Settlement Agreement executed
- 4 between the Parties; and
- 5 2. that the Court retain jurisdiction to enforce the other terms of said Agreement.

6 Respectfully submitted,

7 Dated: April 22, 2016.

TUCKER CHIU HEBESHA SEYMOUR

8 By /s/ Henry Y. Chiu  
9 HENRY Y. CHIU  
Attorney for Plaintiffs

11 Dated: April 22, 2016.

LANG, RICHERT & PATCH

13 By /s/ Mark L. Creede  
14 MARK L. CREEDE  
Attorney for Defendants

18 **ORDER**

19 In light of the foregoing stipulation and request by the Parties, defendant American  
20 Contractors Indemnity Company is hereby dismissed, *with* prejudice, from the present action,  
21 subject to the terms of the written Settlement Agreement between the Parties. The Court shall  
22 retain jurisdiction to enforce the other terms of said Agreement.

23 IT IS SO ORDERED.

24  
25 Dated: 4/27/16

  
HONORABLE SANDRA M. SNYDER  
UNITED STATES MAGISTRATE JUDGE