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7 Attorneys for Plaintiff,
8 **VISION SERVICE PLAN**

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10 **IN THE UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**

12 VISION SERVICE PLAN, a) Civil No. 2:05-CV-01490-LKK-GGH
13 California nonprofit corporation,)
14)
15 Plaintiffs,) Hon. Lawrence K. Karlton
16 v.)
17) **STIPULATION AND ORDER OF**
18 FEDERAL INSURANCE COMPANY, an) **DISMISSAL**
19 Indiana corporation; CHUBB & SON;)
20 CHUBB GROUP OF INSURANCE)
21 COMPANIES; THE CHUBB)
22 CORPORATION, a New Jersey corporation;)
23 and DOES 1 through 50, Inclusive,)
24)
25 Defendants.)

26 Pursuant to the parties' stipulation and good cause appearing, an Order issued on
27 October 10, 2005, stating that this case was STAYED and that the clerk administratively closed
28 the case, pending the conclusion of the arbitration proceedings between plaintiff and the remaining
defendant, FEDERAL INSURANCE COMPANY. The parties were directed to inform the court
within ten days of the conclusion of the arbitration proceedings. During the arbitration process,
the parties negotiated a mutual settlement of the matter. Accordingly,

IT IS HEREBY STIPULATED by and between the parties to this action through their
designated counsel that the Complaint filed by plaintiff VISION SERVICE PLAN be and hereby

1 is dismissed with prejudice under Rule 41(a)(1) of the Federal Rules of Civil Procedure and
2 without costs or attorneys' fees as against any party.

3
4 Dated: December 14, 2006

5 By: /s/ Robert E. Moss, Jr.
6 ROBERT E. MOSS, JR.
7 Attorneys for Plaintiff,
8 **VISION SERVICE PLAN**

9 Dated: December 6, 2006


10 **ROSS, DIXON & BELL, LLP**

11 By: /s/ Terrence R. McInnis
12 TERRENCE R. McINNIS
13 Attorneys for Defendant,
14 **FEDERAL INSURANCE COMPANY**

15 **ORDER OF DISMISSAL**

16 Pursuant to the above stipulation of the parties, the Court hereby orders, adjudges and
17 decrees that this action shall be, and hereby is, **DISMISSED** with prejudice and without costs or
18 fees to any party.

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20 Dated: December 15, 2006

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22 
23 LAWRENCE K. KARLTON
24 SENIOR JUDGE
25 UNITED STATES DISTRICT COURT
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