

1 Ronald A. McIntire, Bar No. 127407
 2 PERKINS COIE LLP
 3 1888 Century Park E., Suite 1700
 4 Los Angeles, CA 90067-1721
 5 Telephone: 310.788.9900
 6 Facsimile: 310.788.3399

7 Keith Gerrard (admitted pro hac vice)
 8 Richard Coyle (admitted pro hac vice)
 9 Brendan Murphy (admitted pro hac vice)
 10 PERKINS COIE LLP
 11 1201 Third Avenue, Suite 4800
 12 Seattle, WA 98101-3099
 13 Telephone: 206.359.8000
 14 Facsimile: 206.359.9000

15 Attorneys for Defendants
 16 Turbomeca S.A. and Turbomeca USA, Inc.

17 UNITED STATES DISTRICT COURT
 18 EASTERN DISTRICT OF CALIFORNIA

19 OLD REPUBLIC INSURANCE
 20 COMPANY,
 21 Plaintiff,
 22 v.
 23 TURBOMECA S.A. and TURBOMECA
 24 USA,
 25 Defendants.

Case No. 2:07:CV-1398 WBS DAD
 [Consolidated Master Case Number]

STIPULATION AND ~~PROPOSED~~ ORDER
 TO SEVER AND DISMISS WITH
 PREJUDICE CASE NUMBER 2:08-CV-1376

26 COUNTY OF SACRAMENTO,
 27 Plaintiff,
 28 v.
 29 TURBOMECA S.A., a French
 30 Corporation; LA SOCIETE ANONYME
 31 TURBOMECA FRANCE, a French
 32 Corporation; TURBOMECA USA, a Texas
 33 Corporation; TURBOMECA ENGINE
 34 CORPORATION, a Texas Corporation,
 35 and Does 1 through 50,
 36 Defendants.

37 Plaintiffs Old Republic Insurance Company and County of Sacramento and Defendants
 38 Turbomeca S.A. (f/k/a La Societe Anonyme Turbomeca France) and Turbomeca USA, Inc. (f/k/a

STIPULATION TO SEVER AND
 DISMISS CASE NO. 2:08-CV-1376

1 Turbomeca Engine Corporation) hereby stipulate and seek an order of the Court severing Case
2 Number 2:08-cv-1376 and dismissing it with prejudice, and state as follows:

3 1. These consolidated actions arise from the crash of a Sacramento County Sheriff's
4 Department helicopter on July 13, 2005, which resulted in the deaths of two Sheriff's deputies,
5 injuries to a third deputy, and the loss of the helicopter.

6 2. The County of Sacramento commenced the action numbered 2:07-cv-01398-WBS-
7 DAD on July 13, 2007. The sole parties are the County, Turbomeca S.A., and Turbomeca USA.

8 3. Old Republic Insurance Company commenced the action numbered 2:08-cv-
9 01376-WBS-DAD on June 18, 2008. The sole parties are Old Republic, Turbomeca S.A., and
10 Turbomeca USA.

11 4. On August 7, 2008, the Court ordered the actions consolidated under master case
12 number 07-CV-01398-WBS-DAD. (Docket No. 33.)

13 5. The defendants and Old Republic have settled all claims brought by Old Republic
14 in Case Number 2:08-cv-1376. (Notice of Settlement, Docket No. 48.) The defendants and Old
15 Republic have exchanged consideration and executed releases and believe that Case Number
16 2:08-cv-1376 may now be severed and dismissed with prejudice.

17 Accordingly, all parties to these consolidated actions stipulate that Case Number 2:08-cv-
18 1376 may be severed.

19 Further, defendants and Old Republic stipulate that Case Number 2:08-cv-1376 can and
20 should be dismissed with prejudice, with each party to bear its own fees and costs.

21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: October 16, 2009

PERKINS COIE LLP

By: /s/Brendan Murphy
Brendan Murphy

Attorneys for Defendants
Turbomeca S.A. and Turbomeca USA, Inc.

DATED: October 16, 2009

**REID, AXELROD, MCCORMACK &
GRIFFIS**

By: /s/ per email authorization on 10/13/09
Donald S. Honigman

Attorneys for Plaintiff
Old Republic Insurance Company

DATED: October 16, 2009

**LENAHAN, LEE, SLATER & PEARSE,
LLP**

By: /s/ per email authorization on 10/15/09
Charleton Pearce
Kathleen Staker

Attorneys for Plaintiff
County of Sacramento

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

IT IS HEREBY ORDERED THAT:

(1) Case Number 2:08-cv-1376 is severed from this consolidated action; and

(2) Case Number 2:08-cv-1376 is dismissed with prejudice, with each party to bear its own fees and costs.

Dated: October 16, 2009



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE