

1 Linda M. Lawson (Bar No. 77130)
 LLawson@mmhllp.com
 2 Carmen J. Kemp (Bar No. 218489)
 CKemp@mmhllp.com
 3 MESERVE, MUMPER & HUGHES LLP
 300 South Grand Avenue, 24th Floor
 4 Los Angeles, California 90071-3185
 Telephone: (213) 620-0300
 5 Facsimile: (213) 625-1930

6 Attorneys for Defendant
 FORT DEARBORN LIFE INSURANCE
 7 COMPANY

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 DEBRA ESLINGER,
 12 Plaintiff,
 13 vs.

Case No. 2:09-cv-02548-LKK-JFM
**STIPULATION TO DISMISS
 ENTIRE ACTION WITH
 PREJUDICE; ORDER THEREON**

14 THE DONAHUE BATES
 15 BLAKEMORE & MACKKEY LONG-
 TERM DISABILITY INSURANCE
 16 PLAN; HIGHMARK LIFE
 INSURANCE COMPANY; FORT
 17 DEARBORN LIFE INSURANCE
 COMPANY; DOES 1 through 20,
 Inclusive,,
 18 Defendant.

Complaint Filed: September 11, 2009

19
 20 UNIVERSITY DISABILITY
 CONSORTIUM,
 21 Cross-Claimant,
 22 vs.

23 HIGHMARK LIFE INSURANCE
 24 COMPANY, FORT DEARBORN LIFE
 INSURANCE COMPANY;
 25 DISABILITY REINSURANCE
 MANAGEMENT SERVICES, INC.
 26 and ROES 1-20, inclusive,
 27 Cross-Defendants.

1 Plaintiff DEBRA ESLINGER, defendants/cross-defendants HIGHMARK
2 LIFE INSURANCE COMPANY, FORT DEARBORN LIFE INSURANCE
3 COMPANY, DISABILITY REINSURANCE MANAGEMENT SERVICES, INC.,
4 defendants, THE DONAHUE BATES BLAKEMORE AND MACKEY LONG
5 TERM DISABILITY PLAN and DONAHUE BATES BLAKEMORE AND
6 MACKEY LLP, and defendant/cross-claimant UNIVERSITY DISABILITY
7 CONSORTIUM, by and through their respective counsel of record, hereby agree
8 and stipulate to dismiss this action in its entirety, including the cross-claim, with
9 prejudice as to all parties, pursuant to Federal Rules of Civil Procedure, Rule 41(a),
10 and each party shall bear its own attorneys' fees and costs in this matter.

11 The parties seek the Court's approval of dismissal of this action, including the
12 cross-claim, with prejudice.

13
14 IT IS SO STIPULATED.

15
16 Dated: February 23, 2011

MESERVE, MUMPER & HUGHES LLP
LINDA M. LAWSON
CARMEN J. KEMP

17
18
19 By: /S/ Carmen J. Kemp
20 Carmen J. Kemp
21 Attorneys for Defendants and
22 Cross-Defendants
23 FORT DEARBORN LIFE
24 INSURANCE COMPANY and
25 HIGHMARK LIFE INSURANCE
26 COMPANY

27
28 Dated: March 3, 2011

LAW OFFICES OF JOHN M.
RIESTENBERG
JOHN M. RIESTENBERG

By: /S/ John M. Riestenberg
John M. Riestenberg
Attorneys for Plaintiff
DEBRA ESLINGER

1 Dated: February 23, 2011

PIERCE ATWOOD LLP
WILLIAM J. KAYATTA
GERALDINE G. SANCHEZ

2

3

4

By: /S/ Geraldine G. Sanchez

5

Geraldine G. Sanchez
Attorneys for Defendant and Cross-
Defendant

6

DISABILITY REINSURANCE
MANAGEMENT SERVICES,
INC.

7

8

9 Dated: February 23, 2011

MARK S. TRATTEN
J. THOMAS ALDRICH
ERICKSEN ARBUTHNOT

10

11

12

By: /S/ Mark S. Tratten

13

Mark S. Tratten
Attorneys for Defendant and Cross-
Claimant

14

UNIVERSITY DISABILITY
CONSORTIUM

15

16 Dated: February 23, 2011

DONAHUE BATES BLACKMORE &
MACKEY LLP
STEPHEN J. MACKEY

17

18

19

By: /S/ Stephen J. Mackey

20

Stephen J. Mackey
Attorneys for Defendant
DONAHUE BATES
BLACKMORE & MACKEY LLP

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

ORDER


Based upon the stipulation of the parties and for good cause shown,

IT IS HEREBY ORDERED that this action, Case No. 2:09-CV-02548 LKK JFM, is dismissed in its entirety as to all defendants and cross-defendants, with prejudice.

IT IS HEREBY FURTHER ORDERED that each party shall bear its own attorney fees and costs in this matter.

IT IS SO ORDERED.

Dated: March 3, 2011


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT