1	DAVID B. GOODWIN (Bar No. 104469) ESTA L. BRAND (Bar No. 83329)		
2	COVINGTON & BURLING LLP One Front Street, 35th Floor		
3	San Francisco, CA 94111 Telephone: (415) 591-7022		
4	Facsimile: (415) 955-6522 E-mail: ebrand@cov.com		
5	Attorneys for Defendant		
6	Western Environmental Consultants, Inc.		
7			
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9			
10	UNITED STATES	S DISTRICT COURT	
1112	<u>UNITED STATES DISTRICT COURT</u> FOR THE EASTERN DISTRICT OF CALIFORNIA		
13			
14	AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA, ET	Civil Case No. 2:10-CV-02806-GEB-EFI	
15	AL.,	STIPULATION AND [PROPOSED]	
16	Plaintiffs,	ORDER OF DISMISSAL	
17	V.	Judge: Hon. Garland E. Burrell, Jr.	
18	WESTERN ENVIRONMENTAL CONSULTANTS, INC., et al.	Courtroom: 10	
19	Defendants.		
20			
21			
22	IT IS HEREBY STIPULATED by and between the parties to this action through		
23	their designated counsel that:		
24	1. Western Environmental Consultants, Inc.'s counterclaim against counter- defendants American Casualty Company of Reading, Pennsylvania and National Fire Insurance Company of Hartford is dismissed without prejudice under Federal Rules		
25			
26			
27	41(a)(1)(A)(ii) and 41(c).		
28			

1	2. Lexington Insurance Company's cross claim against cross-defendants	
2	Pacific Gas and Electric Company and Western Environmental Consultants, Inc. is	
3	dismissed without prejudice pursuant to Federal Rules 41(a)(1)(A)(ii) and 41(c).	
4	Lexington's counterclaim against counter-defendants American Casualty Company of	
5	Reading, Pennsylvania and National Fire Insurance Company of Hartford remain and are	
6	not dismissed by way of this stipulation.	
7	3. Each party shall bear its own attorneys' fees and costs.	
8		Respectfully submitted,
9	DATED: January 30, 2012	COVINGTON & BURLING LLP
10		
11		/s/ Esta L. Brand DAVID B. GOODWIN
12		ESTA L. BRAND Attorneys for Cross-Defendant/Counter-
13		Claimant WESTERN ENVIRONMENTAL
14	DATED: January 30, 2012	CONSULTANTS, INC.
15	DATED. January 30, 2012	WOOLLS & PEER
16		A Professional Corporation
17		/s/ Caitlin R. Zapf
18		JOHN E. PEER JEFFREY A. DOLLINGER,
19		CAITLIN R. ZAPF, Attorneys for Counter-Defendants AMERICAN
20		CASUÁLTY COMPANY OF READING, PENNSYLVANIA, and NATIONAL FIRE
21		INSURANCE COMPANY OF HARTFORD, successor by merger to Transcontinental
22		Insurance Company
23		
24	DATED: January 30, 2012	MCCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP
25		
26		/s/ Michael J. Schmidt JAMES P. WAGONER
27		MICHAEL J. SCHMIDT Attorneys for Counter-Claimant /Cross-
28		Claimant/Cross-Defendant LEXINGTON INSURANCE COMPANY

1		
2	DATED: January 30, 2012	JAMPOL ZIMET LLP
3		/s/ Margus Dong
4		<u>/s/ Marcus Dong</u> ALAN R. JAMPOL MARCUS DONG
5		Attorneys for Defendant/Counter-Claimant UNDERWRITERS AT LLOYD'S LONDON
6		CHOLK WRITERS AT LEG TO S EGNOON
7	DATED: January 30, 2012	ORRICK, HERRINGTON & SUTCLIFFE LLP
8	211122: Validary 30, 2012	
9		<u>/s/ Stephen M. Knaster</u> RICHARD J. DENATALE
10		STEPHEN M. KNASTER ALEXANDRA L. BRANDON
11		Attorneys for Cross-Defendant PACIFIC GAS AND ELECTRIC COMPANY
12		
13	IT IS SO ORDERED.	
14 15	Date: <u>2/9/2012</u>	
16	Dute. <u>2/7/2012</u>	
17		
18		Sald E. Junelf
19		GARLAND E. BURRELL, JR.
20		United States District Judge
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