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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

AMERICAN CASUALTY COMPANY  
OF READING, PENNSYLVANIA,  
et al.,

NO. CIV. S-10-2806 LKK/GGH

Plaintiffs,

v.

O R D E R

WESTERN ENVIRONMENTAL  
CONSULTANTS, INC., et al.,

Defendants.

\_\_\_\_\_ /

A hearing on defendant Lexington Insurance Company's ("Lexington") Motion to Dismiss, ECF. No. 47, is currently set for April 11, 2011. In the motion, Lexington seeks to dismiss defendant and cross-claimant PG&E's request for attorney's fees. PG&E has filed a statement of non-opposition to the motion. ECF No. 64. Accordingly the court orders as follows:

[1] The hearing currently scheduled for April 11, 2011, is VACATED.

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[2] Lexington's Motion to Dismiss, ECF No. 47 is GRANTED.

[3] The request for attorney's fees in PG&E's cross claim,  
ECF No. 23 14:24, is DISMISSED without prejudice.

IT IS SO ORDERED.

DATED: April 7, 2011.

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT