

1 **SPINELLI, DONALD & NOTT**
 A Professional Corporation
 2 DOMENIC D. SPINELLI, SBN 131192
 815 S Street, Second Floor
 3 Sacramento, CA 95811
 Telephone: (916) 448-7888
 4 Facsimile: (916) 448-6888
 Email: DomenicS@SDNLaw.com

5 Attorneys for Plaintiffs,
 6 Timothy Hill and A.H.

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 9 **UNITED STATES DISTRICT COURT**
 10 **EASTERN DISTRICT OF CALIFORNIA**

13 A.H., a minor by and through her Guardian
 Ad Litem, TIMOTHY HILL; TIMOTHY
 14 HILL,

15 Plaintiffs,

16 v.

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 18 CIGNA HEALTH AND LIFE
 INSURANCE COMPANY; CRITIGEN,
 LLC COMPREHENSIVE HEALTH AND
 19 WELFARE BENEFITS PROGRAM;
 CONNECTICUT GENERAL LIFE
 20 INSURANCE COMPANY, a CIGNA
 COMPANY; AND DOES 1 TO 10
 21 INCLUSIVE.

22 Defendants.

CASE NO: 2:13-CV-00895-JAM-CKD

23 **STIPULATION AND [PROPOSED]**
ORDER OF DISMISSAL

[ERISA 29 U.S.C. 1132 et seq.]

Action Filed: 5/7/2013

23 TO THE HONORABLE COURT, ALL PARTIES HEREIN AND THEIR RESPECTIVE
 24 COUNSEL OF RECORD:

25 **STIPULATION**

26 IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys for the parties
 27 as follows:

28 WHEREAS, parties have fully executed a settlement agreement on June 26, 2014.

1 WHEREAS, in consideration of a waiver of costs and attorneys fees, plaintiff agreed to
2 authorize their attorneys to execute a Stipulation to dismiss all claims asserted against the
3 Defendant a fully executed settlement agreement and payment in full.

4 WHEREAS, the parties further agreed that the dismissal will not be filed until all settlement
5 funds have been paid. The settlement funds have been fully paid and the dismissal is therefore
6 being file.

7 WHEREAS pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the
8 above-referenced case should be DISMISSED with prejudice and without an award of costs or fees
9 to Plaintiffs A.H., a minor by and through her Guardian Ad Litem, TIMOTHY HILL and
10 TIMOTHY HILL and Defendants CIGNA HEALTH AND LIFE INSURANCE COMPANY,
11 CONNECTICUT GENERAL LIFE INSURANCE COMPANY, and CRITIGEN LLC
12 COMPREHENSIVE HEALTH AND WELFARE BENEFITS PROGRAM.

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14 IT IS SO STIPULATED.

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16 Dated: October 7, 2016

SPINELLI, DONALD & NOTT

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18 By: /s/ Domenic D. Spinelli
19 Domenic D. Spinelli
20 Counsel for Plaintiffs,
TIMOTHY HILL and A.H.

21 DATE: October 7, 2016

**OGLETREE, DEAKINS, NASH, SMOAK
& STEWART**

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23 By: /s/ Sean P. Nalty
24 Sean P. Nalty, Esq.
25 Attorneys for Defendants,
26 **CIGNA HEALTH AND LIFE INSURANCE
COMPANY; CONNECTICUT GENERAL
27 LIFE INSURANCE COMPANY; and
CRITIGEN LLC COMPREHENSIVE
28 HEALTH AND WELFARE BENEFITS
PROGRAM**

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ORDER

The parties having so stipulated and agreed, it is hereby SO ORDERED. The above-referenced case is hereby DISMISSED with prejudice and without an award of costs or fees to Plaintiffs A.H., a minor by and through her Guardian Ad Litem, TIMOTHY HILL and TIMOTHY HILL and Defendants CIGNA HEALTH AND LIFE INSURANCE COMPANY, CONNECTICUT GENERAL LIFE INSURANCE COMPANY, and CRITIGEN LLC COMPREHENSIVE HEALTH AND WELFARE BENEFITS PROGRAM. The Clerk is directed to send copies of this Order to all counsel of record.

DATED this 7th day of October, 2016.



THE HONORABLE JOHN A. MENDEZ