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11 Attorneys for Defendants  
 12 Barnhart-Balfour Beatty, Inc., and  
 Travelers Casualty & Surety Co. Of America  
 13

14 **UNITED STATES DISTRICT COURT**  
 15 **EASTERN DISTRICT OF CALIFORNIA**

17 UNITED STATES OF AMERICA for the  
 benefit of GEOSPHERE CONSULTANTS,  
 18 INC., a California corporation,

19 Plaintiffs,

20 vs.

21 TRAVELERS CASUALTY & SURETY CO.  
 OF AMERICA, a Connecticut corporation;  
 22 BARNHART-BALFOUR BEATTY, INC., a  
 California corporation, and DOES 1 through  
 23 50,

24 Defendants.  
 25

Case No.: 2-14-cv-02026-WBS-DAD

**STIPULATION AND ORDER  
 DISMISSING ENTIRE ACTION WITH  
 PREJUDICE**

MILLER, MORTON, CAILLAT & NEVIS, LLP  
 50 West San Fernando Street, Suite 1300  
 San Jose, CA 95113  
 Telephone: (408) 292-1765

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1           **IT IS HEREBY STIPULATED** by and between Plaintiff United States of America for  
2 the benefit of Geosphere Consultants, Inc. (“Geosphere”) and Defendants Travelers Casualty  
3 and Surety Co. of America (“Travelers”) and Barnhart-Balfour Beatty, Inc. (“Balfour Beatty”),  
4 by and through their respective attorneys of record, that the above-captioned action shall be, and  
5 hereby is, dismissed with prejudice as to all parties and claims, pursuant to Federal Rule of Civil  
6 Procedure 41(a)(1)(A)(ii). Each party shall bear its own fees and costs.

7           All signatories to this Stipulation, and on whose behalf the filing is submitted, concur  
8 with the Stipulation’s content and authorize its filing.

9  
10 Dated: July 30, 2015

MILLER, MORTON, CAILLAT & NEVIS, LLP

11 By: /s/ Carrie A. MacIntosh

12 WILLIAM K. HURLEY  
13 CARRIE A. MACINTOSH  
14 Attorneys for Plaintiff  
Geosphere Consultants, Inc.

15 Dated: July 30, 2015

MARKS, FINCH, THORNTON & BAIRD, LLP

17 By: /s/ Jason R. Thornton

18 JASON R. THORNTON  
19 Attorneys for Defendants  
Barnhart-Balfour Beatty, Inc., and Travelers  
20 Casualty & Surety Co. Of America

21 I attest that the original facsimile signatures of the persons whose electronic signatures  
22 are shown above are maintained by me, and that their concurrence in the filing of this document  
23 and attribution of their signatures was obtained.

24 Dated: July 30, 2015

MILLER, MORTON, CAILLAT & NEVIS, LLP

26 By: /s/ Carrie A. MacIntosh


27 WILLIAM K. HURLEY  
28 CARRIE A. MACINTOSH  
Attorneys for Plaintiff  
Geosphere Consultants, Inc.

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**ORDER**

**IT IS HEREBY ORDERED** that, pursuant to the parties' stipulation and Federal Rules of Civil Procedures 41(a)(1)(A)(ii), the above-captioned action shall be, and hereby is dismissed in its entirety with prejudice as to all parties and claims. Each party shall bear its own fees and costs.

Dated: July 31, 2015

  
\_\_\_\_\_  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

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