

1 **SPINELLI, DONALD & NOTT**
A Professional Corporation
2 Domenic D. Spinelli (SBN: 131192)
Domenics@sdnlaw.com
3 815 S Street, Second Floor
Sacramento, CA 95811
4 Telephone: (916) 448-7888
Facsimile: (916) 448-6888
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6 Attorneys for Defendant
Kohler Corporation

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8 IN THE UNITED STATES DISTRICT COURT
9 IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

10 SAFECO INSURANCE COMPANY OF
AMERICA,

Case No.: 2:15-cv-02128-WBS-KJN

11 **STIPULATION AND ~~PROPOSED~~ ORDER
OF DISMISSAL**

12 Plaintiff,

Complaint Filed: August 30, 2016

13 vs.

14 MTD PRODUCTS COMPANY dba CUB
CADET, an Ohio Corporation, KOHLER
15 CO., a Wisconsin Corporation, and DOES 1
through 50, inclusive,

16 Defendants.
17 _____/

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22 TO THE COURT, ALL PARTIES HEREIN AND THEIR COUNSEL OF RECORD:

23 STIPULATION

24 IT IS HEREBY STIPULATED AND AGREED by the undersigned parties and attorneys
25 for the parties as follows:

26 WHEREAS, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the above-
27 referenced case should be dismissed without prejudice against Defendant Kohler Corporation.
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IT IS SO STIPULATED.

Date: December 19, 2016

By: /S/ Daniel T. Schmaeling
DANIEL T. SCHMAELING
Attorney for Plaintiff
Safeco Insurance Company of America

Dated: December 19, 2016

SPINELLI, DONALD & NOTT

By: /S/ Domenic D. Spinelli
DOMENIC D. SPINELLI
Attorney for Defendant
Kohler Corporation

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ORDER

The parties having so stipulated and agreed, it is hereby SO ORDERED. The above-referenced case is hereby DISMISSED without prejudice as to Defendant Kohler Corporation. The Clerk is directed to send copies of this Order to all counsel and parties of record.

Dated: December 19, 2016



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE