

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Patrick M. Howe (SBN 154669)  
*pat@patrickhowelaw.com*  
402 W. Broadway, Suite 1025  
San Diego, CA 92101  
(619) 398-3422 Phone  
(619) 452-2507 Fax

Attorney for plaintiff/cross-defendant  
United Financial Casualty Company

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

United Financial Casualty Company;  
Plaintiff,

v.

Black Diamond Asphalt, Inc.; Polar  
Corporation; Polar Tank Trailer  
LLC; The Reed Leasing Group  
LLC; Raymond Myers; Desiree  
Myers; and Kinsale Insurance  
Company;  
Defendants.

Black Diamond Asphalt, Inc.;;  
Cross-Claimant,

v.

United Financial Casualty Company;  
and Kinsale Insurance Company;  
Cross-Defendants.

Case No. 2:15-cv-02669-MCE-EFB

**Stipulation and Order re Dismissal  
of Defendants Polar Corporation  
and Polar Tank Trailer LLC**

1 **Stipulation**

2 Plaintiff United Financial Casualty Company (“UFCC”) and defendants  
3 Polar Corporation and Polar Tank Trailer LLC stipulate to the following:

- 4 1. UFCC dismisses the complaint, without prejudice, against defendants  
5 Polar Corporation and Polar Tank Trailer LLC; and  
6 2. UFCC and defendants Polar Corporation and Polar Tank Trailer LLC  
7 will each bear its own attorney’s fees and costs.

8 **Request for Order of Dismissal**

9 Accordingly, UFCC and defendants Polar Corporation and Polar Tank  
10 Trailer LLC request an order dismissing the complaint, without prejudice,  
11 against defendants Polar Corporation and Polar Tank Trailer LLC.

12  
13 April 5, 2016

Respectfully submitted,

14 By: /s/ **Patrick M. Howe**

15 Patrick M. Howe

16 Attorney for plaintiff/cross-defendant  
17 United Financial Casualty Company  
*pat@patrickhowelaw.com*

18  
19 April 5, 2016

Lewis Brisbois Bisgaard & Smith  
LLP

20  
21 By: /s/ **William F. Horsey**

22 William F. Horsey

23 Attorneys for defendants Polar  
24 Corporation and Polar Tank Trailer  
LLC

*william.horsey@lewisbrisbois.com*


25  
26 (Signature authorized on 3/31/16)

1 **Order**

2 Based on the stipulation of the parties, and good cause appearing, the  
3 court dismisses UFCC's complaint as against defendants Polar Corporation  
4 and Polar Tank Trailer LLC, without prejudice. UFCC's complaint remains  
5 pending against Defendant Black Diamond Asphalt, Inc.

6 IT IS SO ORDERED.

7 Dated: April 5, 2016

8   
9 \_\_\_\_\_  
10 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
11 UNITED STATES DISTRICT COURT  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28