

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-DB

**Stipulation Between United
Financial Casualty Company
and Black Diamond Asphalt,
Inc. to Dismiss Portions of
Complaint and of Cross-
Claim; Order Thereon**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

Stipulation

Plaintiff /cross-defendant United Financial Casualty Company (“UFCC”) and defendant/cross-claimant Black Diamond Asphalt, Inc. (“Black Diamond”) stipulate to the dismissal, with prejudice, of the following:

1. UFCC’s complaint (Dkt. 1) as against Black Diamond, only; and
2. Black Diamond’s cross-claim (Dkt. 8) as against UFCC, only.

August 19, 2016

Respectfully submitted,

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

Patrick M. Howe

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

August 19, 2016

Anderson & Poole, P.C.

By: /s/ **Deborah L. Goodman**

Deborah L. Goodman

Attorneys for defendant/cross-
claimant Black Diamond
Asphalt, Inc.
dgoodman@adplaw.com

(Signature authorized on 8/10/16)

Order

Based on the stipulation of the parties, and good cause appearing, the court orders as follows:

1. UFCC’s complaint (Dkt. 1) is dismissed, with prejudice, as against Black Diamond, only; and

1 2. Black Diamond's cross-claim (Dkt. 8) is dismissed, with prejudice, as
2 against UFCC, only.

3
4 IT IS SO ORDERED.

5 Dated: August 19, 2016

6
7 
8 MORRISON C. ENGLAND, JR.
9 UNITED STATES DISTRICT JUDGE