

1 SCHOECH LAW GROUP, PC  
MATTHEW R. SCHOECH (SBN 234774)  
2 [matt@norcallawfirm.com](mailto:matt@norcallawfirm.com)  
4020 Lennane Dr Ste 102  
3 Sacramento, CA 95834

4 Telephone: (916) 569-1940  
Facsimile: (916) 569-1939  
5

6 WILKE, FLEURY, HOFFELT, GOULD & BIRNEY, LLP  
GEORGE A. GUTHRIE (SBN 201263)  
7 [guthrie@wilkefleury.com](mailto:guthrie@wilkefleury.com)  
DANIEL J. FOSTER (SBN 238012)  
8 [dfoster@wilkefleury.com](mailto:dfoster@wilkefleury.com)  
400 Capitol Mall, Twenty-Second Floor  
9 Sacramento, California 95814

10 Telephone: (916) 441-2430  
Facsimile: (916) 442-6664  
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Attorneys for PLAINTIFFS

12 UNITED STATES DISTRICT COURT  
13 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION  
14

15 GERALDINE STRYKER; HARRISON KIM;  
16 STACY FOX, SANDRA FOX; REGINA  
EDWARDS; EDWARD J. BROUSSARD,  
17 SR.; LAVERNE BROUSSARD; JOSEPH T.  
CHAIANG; GULNARA G. CHIANG;  
18 CHIONYE UGORI; OBIAKONWA UGORI;  
WILLIAM BAUMANN; RUTHI  
19 BAUMANN; DONALD MILLS; ANZEL L.  
MILLS; ABRAN S. MATHEWS; TONY R.  
20 MELTON; DANIELLE MELTON;  
RANDALL J. MARIN; ALBERTO  
21 CHAPARRO; DALIA CHAPARRO; SEAN  
D. JONES JILL M. OKIMOTO; DONALD A.  
22 FISHER; JOSEPH HAHNZ; DONNA M.  
LANE; DWAYNE P. SCHEER; MARTII  
23 SCHEER; CHAD WILSON ; CHEN LI, PING  
GU; MICHAEL BLITON; and GHASSAN I.  
24 KAMAL,

25 Plaintiffs,

26 v.

27 NORTH AMERICAN CAPACITY  
INSURANCE COMPANY, and DOES 1-100,  
28

Case No. 2:16-CV-00524-TLN-CKD

**STIPULATION AND ORDER FOR  
DISMISSAL OF PLAINTIFFS' CLAIM  
FOR PUNITIVE DAMAGES AGAINST  
NORTH AMERICAN CAPACITY  
INSURANCE COMPANY**

1452662.1

1 Inclusive,  
2 Defendants.  
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4 IT IS HEREBY STIPULATED AND AGREED TO by Plaintiffs GERALDINE STRYKER;  
5 HARRISON KIM; STACY FOX, SANDRA FOX; REGINA EDWARDS; EDWARD J.  
6 BROUSSARD, SR.; LAVERNE BROUSSARD; JOSEPH T. CHIANG; GULNARA G. CHIANG;  
7 CHIONYE UGORI; OBIAKONWA UGORI; WILLIAM BAUMANN; RUTHI BAUMANN;  
8 DONALD MILLS; ANZEL L. MILLS; ABRAN S. MATHEWS; TONY R. MELTON; DANIELLE  
9 MELTON; RANDALL J. MARIN; ALBERTO CHAPARRO; DALIA CHAPARRO; SEAN D.  
10 JONES JILL M. OKIMOTO; DONALD A. FISHER; JOSEPH HAHNZ; DONNA M. LANE;  
11 DWAYNE P. SCHEER; MARTII SCHEER; CHAD WILSON ; CHEN LI, PING GU; MICHAEL  
12 BLITON; and GHASSAN I. KAMAL (“PLAINTIFFS”), by and through their attorneys, and  
13 Defendant NORTH AMERICAN CAPACITY INSURANCE COMPANY, by and through their  
14 attorneys:

15 1. PLAINTIFFS’ request for punitive damages as set forth in the fourth, fifth, and sixth  
16 causes of action, and the prayer for relief, shall be dismissed, but only as to NORTH AMERICAN  
17 CAPACITY INSURANCE COMPANY.

18 2. PLAINTIFFS’ remaining claims, allegations, and prayers for relief shall remain in  
19 effect and are not dismissed by this stipulation.

20 3. NORTH AMERICAN CAPACITY INSURANCE COMPANY’s pending Motion for  
21 Partial Judgment on the Pleadings, which is scheduled for hearing on June 2, 2016, is hereby  
22 withdrawn without prejudice, because it is moot.

23 IT IS SO STIPULATED.  
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1 DATED: May 19, 2016

WILKE, FLEURY, HOFFELT,  
GOULD & BIRNEY, LLP

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By: /s/

GEORGE A. GUTHRIE  
Attorneys for PLAINTIFFS

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7 DATED: May 19, 2016

SCHOECH LAW GROUP, PC

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By: /s/

MATTHEW R. SCHOECH  
Attorneys for PLAINTIFFS

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12 DATED: May 19, 2016

GRIMM, VRANJES & GREER LLP

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By: /s/

GREGORY D. STEPHAN  
Attorneys for NORTH AMERICAN CAPACITY  
INSURANCE COMPANY

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**ORDER**

Based upon the stipulation of the parties and good cause appearing, the Court orders the following:

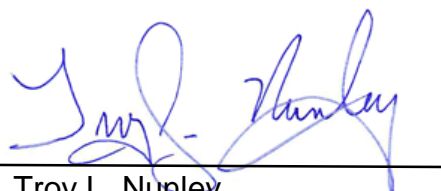
1. That PLAINTIFFS' request for punitive damages as set forth in the fourth, fifth, and sixth causes of action, and the prayer for relief, shall be dismissed, but only as to NORTH AMERICAN CAPACITY INSURANCE COMPANY;

2. That PLAINTIFFS' remaining claims, allegations, and prayers for relief shall remain in effect and are not dismissed by this stipulation;

3. That NORTH AMERICAN CAPACITY INSURANCE COMPANY's pending Motion for Partial Judgment on the Pleadings, which is scheduled for hearing on June 2, 2016, is hereby withdrawn without prejudice, because it is moot.

IT IS SO ORDERED.

Dated: May 20, 2016



Troy L. Nunley  
United States District Judge