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5 Attorneys for  
 MARK RITE LINES EQUIPMENT CO., INC.

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 8 **UNITED STATES DISTRICT COURT**  
 9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
 10 **SACRAMENTO DIVISION**

11 FINANCIAL PACIFIC INSURANCE  
 COMPANY, as subrogee of Sierra Traffic  
 12 Marking, Inc.,

13 Plaintiff,

14 v.

15 MARK RITE LINES EQUIPMENT CO.,  
 INC., AXEMAN-ANDERSON COMPANY,  
 16 and R.W. BECKETT, and DOES 1 to 50,

17 Defendants.

Case No. 2:16-CV-02382-TLN-KJN

**STIPULATION OF DISMISSAL AND  
 ORDER**

Action Filed: October 5, 2016  
 Trial: December 3, 2018

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 19 WHEREAS, Plaintiff FINANCIAL PACIFIC INSURANCE COMPANY filed its  
 20 Subrogation Complaint based on negligence and strict products liability on October 5, 2016;

21 WHEREAS, Defendant MARK RITE LINES EQUIPMENT CO., INC. filed its Answer  
 22 on November 17, 2016;

23 WHEREAS, Plaintiff and Defendant MARK RITE LINES EQUIPMENT CO., INC.  
 24 settled this matter on or about June 30, 2017;

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THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff FINANCIAL PACIFIC INSURANCE COMPANY and Defendant MARK RITE LINES EQUIPMENT CO., INC. through their designated counsel that the above-captioned action should be dismissed with prejudice as to Defendant MARK RITE LINES EQUIPMENT CO., INC. pursuant to FRCP 41(a)(1). The parties further stipulate that the parties shall bear their own attorney's fees, expenses and costs.

IT IS SO STIPULATED.

DATED:

WATKINS & LETOFSKY, LLP

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Juan Salas  
Attorneys for Plaintiff FINANCIAL PACIFIC  
INSURANCE COMPANY

DATED:

KOELLER, NEBEKER, CARLSON & HALUCK, LLP

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Eric C. Brumfield  
Attorneys for Defendant MARK RITE LINES  
EQUIPMENT CO., INC.

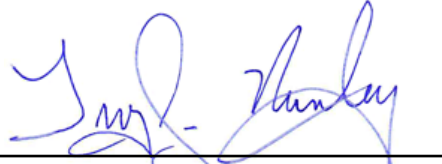
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The Court having considered the stipulation of the parties, and good cause appearing therefor, orders as follows:

1. The action is dismissed with prejudice as against Defendant Mark Rite Lines Equipment Co., Inc. pursuant to FRCP 41(a)(1)(A).
2. Each party shall bear their own costs and attorneys' fees.
3. The Court shall retain jurisdiction over this matter to enforce the terms of the June 30, 2017, Settlement Agreement.

IT IS SO ORDERED.

DATED: July 27, 2017



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Troy L. Nunley  
United States District Judge