

Ropers Majeski Kohn & Bentley  
A Professional Corporation  
Redwood City

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6 Attorneys for Defendant  
LIBERTY LIFE ASSURANCE COMPANY OF BOSTON

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

11 GENIE DIBBLE GILMAN, MICHELE  
DAVENPORT,

12 Plaintiffs,

13 v

14 LIBERTY LIFE ASSURANCE  
15 COMPANY OF BOSTON,

16 Defendant

CASE NO C 05-04807 MJJ

STIPULATION AND ORDER  
(1) SEVERING CLAIMS BY MICHELE  
DAVENPORT; (2) STRIKING CLAIMS BY  
MICHELE DAVENPORT; AND (3)  
DISMISSING CLAIMS BY MICHELE  
DAVENPORT

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18 IT IS HEREBY STIPULATED AND AGREED by plaintiffs, GENIE DIBBLE-  
19 GILMAN and MICHELE DAVENPORT (hereinafter referred to as "DAVENPORT"), and  
20 defendant, LIBERTY LIFE ASSURANCE COMPANY OF BOSTON (hereinafter referred to as  
21 "LIBERTY"), by and through their attorneys of record, to the following:

22 DAVENPORT, and any and all claims alleged, and relief sought, by her against  
23 LIBERTY in this action (including those alleged in Paragraphs 2, 9 through 13, and 26 through  
24 37 of the Complaint on file herein), shall be and hereby are dismissed from this action with  
25 prejudice

26 DAVENPORT and LIBERTY shall bear their own fees and costs.

27 DAVENPORT, and any and all claims alleged, and relief sought, by her against  
28 LIBERTY in this action (including those alleged in Paragraphs 2, 9 through 13, and 26 through

RC1/411832 I/RMF

STIPULATION AND ORDER DISMISSING CLAIMS  
BY PLAINTIFF MICHELE DAVENPORT  
CASE NO C 05-04807 MJJ

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Redwood City


1 37 of the Complaint on file herein) shall be and hereby are severed from this action

2 Any and all claims alleged, and relief sought, by DAVENPORT against LIBERTY in this  
3 action (including those alleged in Paragraphs 2, 9 through 13, and 26 through 37 of the Complaint  
4 on file herein) shall be and hereby are stricken from the Complaint

5 **IT IS SO STIPULATED.**

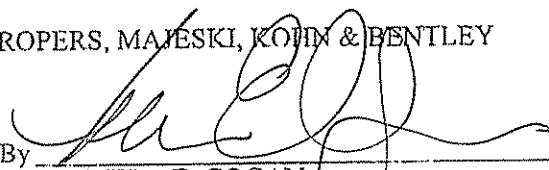
6 Dated: September 30, 2006

LAW OFFICES OF JOHN M RIESTENBERG

7  
8 By   
9 JOHN M. RIESTENBERG  
10 Attorney for Plaintiffs, GENIE DIBBLE-  
GILMAN and MICHELE DAVENPORT

11 Dated: October 3, 2006

ROPERS, MAJESKI, KOHN & BENTLEY

12  
13 By   
14 PAMELA E. COGAN  
15 ROBERT M. FORNI, JR  
16 Attorneys for Defendant, LIBERTY LIFE  
ASSURANCE COMPANY OF BOSTON

ORDER

17 **IT IS SO ORDERED.**

18 Dated : 10/12/2006

19   
20 The Honorable Martin J. Jenkins  
21 UNITED STATES DISTRICT COURT JUDGE

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