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6 GENERAL STAR INDEMNITY CO.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Case No. C-06 0212 EDL

THE PACIFIC LUMBER COMPANY, a  
Delaware corporation; SCOTIA PACIFIC  
COMPANY LLC, a Delaware corporation;  
MAXXAM INC., a Delaware corporation;  
MAXXAM GROUP INC., a Delaware  
corporation; MAXXAM GROUP  
HOLDINGS, INC., a Delaware  
corporation; CHARLES E. HURWITZ, n  
individual; GARY CLARK, an individual;  
JOHN CAMPBELL, an individual; and  
ROBERT MANNE, an individual,

Plaintiffs,

vs.

GENERAL STAR INDEMNITY  
COMPANY, a Connecticut corporation,  
and TRANSPORTATION INSURANCE  
COMPANY, an Illinois corporation,

Defendants.

GENERAL STAR INDEMNITY  
COMPANY, a Connecticut corporation,

Third Party Plaintiff,

vs.

NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA, a  
Pennsylvania corporation,

Third Party Defendant.

AND RELATED CROSS-CLAIMS AND  
COUNTER-CLAIMS.

**STIPULATION RE DISMISSAL  
WITHOUT PREJUDICE  
AND DISMISSAL ORDER**

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, plaintiffs and  
counter-defendants Maxxam Inc., Maxxam Group Inc., Maxxam Group Holdings Inc.,

1 Charles E. Hurwitz, John Campbell and Robert Manne hereby stipulate with defendants,  
2 counterclaimants, cross-claimants and third party plaintiffs General Star Indemnity  
3 Company and Transportation Insurance Company, and third party defendant National  
4 Union Fire Insurance Company of Pittsburg, PA, through their undersigned counsel, that  
5 this action be dismissed without prejudice, each party to bear its own costs and attorneys  
6 fees.

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8 DATED: September 10, 2009 BARBANEL & TREUER, P.C.  
9 ALAN H. BARBANEL  
10 KATY A. NELSON

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By: /s/ Alan H. Barbanel  
ALAN H. BARBANEL  
Attorneys for Defendant, Counterclaimant,  
Cross-Claimant and Third Party Plaintiff  
GENERAL STAR INDEMNITY  
COMPANY

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DATED: September 10, 2009 STOEL RIVES LLP

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By: /s/ Scott J. Kaplan  
SCOTT J. KAPLAN  
Attorneys for Plaintiffs/Counter-Defendants  
MAXXAM INC., MAXXAM GROUP INC.,  
MAXXAM GROUP HOLDINGS INC.,  
CHARLES E. HURWITZ, JOHN  
CAMPBELL and ROBERT MANNE

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DATED: September 10, 2009 COLLIAU ELENIS MURPHY CARLUCCIO  
KEENER & MORROW

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By: /s/ Sherman C. Lee  
SHERMAN C. LEE  
Attorneys for Defendant and  
Counter-Complainant TRANSPORTATION  
INSURANCE COMPANY

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DATED: September 10, 2009      LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Rebecca R. Weinreich  
REBECCA R. WEINREICH  
Attorneys for Third-Party Defendant  
NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA

**DECLARATION REGARDING SIGNATURES**

I, KATY NELSON, declare under penalty of perjury that I obtained concurrence from all counsel to electronically file this document.

DATED: September 10, 2009      /s/ Katy Nelson  
Katy Nelson  
Attorneys for Defendant, Counterclaimant,  
Cross-Claimant and Third Party Plaintiff  
GENERAL STAR INDEMNITY  
COMPANY

IT IS SO ORDERED.

DATED: September 14, 2009

