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5 Attorneys for Plaintiff and Counter Defendant
 6 UTICA Mutual Insurance Company

7
 8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

10 UTICA MUTUAL INSURANCE COMPANY,

11 Plaintiff,

12 v.

13 HAMILTON SUPPLY COMPANY
 14 INCORPORATED, a California corporation,

15 Defendant;

16 LIBERTY MUTUAL INSURANCE
 17 COMPANY,

Defendant-in-Intervention,

18 LIBERTY MUTUAL INSURANCE
 19 COMPANY,

Counter Claimant,

20 v.

21 UTICA MUTUAL INSURANCE COMPANY,
 22 ET AL.,

23 Counter Defendant.

CASE NO.: 3:06-cv-07846-SI

**[PROPOSED] ORDER DISMISSING UTICA
 MUTUAL INSURANCE COMPANY'S
 COMPLAINT AND LIBERTY MUTUAL
 INSURANCE COMPANY'S
 COUNTERCLAIM**

Complaint Filed: December 22, 2006

Assigned For All Purposes: Hon. Susan Illston

Referred to Chief Magistrate Judge James Larson
 for Settlement.

Trial Date: December 15, 2008

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 25 Based on UTICA MUTUAL INSURANCE COMPANY'S and LIBERTY MUTUAL
 26 INSURANCE COMPANY'S STIPULATION:

27 IT IS HEREBY ORDERED that the complaint of UTICA MUTUAL INSURANCE
 28 COMPANY and the counterclaim in intervention of LIBERTY MUTUAL INSURANCE

1 COMPANY are dismissed without prejudice with each party to bear its own costs and attorney's fees.

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Dated:

Judge Susan Illston
United States District Court Judge

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