



1 Dated: March 9, 2009

LEWIS BRISBOIS BISGAARD & SMITH LLP

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By           /s/ Jamie L. Vels          

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JAMIE L. VELS

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RENE I. GAMBOA

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Attorneys for Defendant

NATIONAL UNION FIRE INSURANCE

COMPANY OF PITTSBURGH, PA,

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Dated: March 9, 2009

HOWREY LLP

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By           /s/ Daven G. Lowhurst          

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DAVEN G. LOWHURST

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Attorneys for Plaintiff

HOMESTAKE LEAD COMPANY OF MISSOURI

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**GENERAL ORDER 45 CERTIFICATION**

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I, Daven G. Lowhurst, hereby attest pursuant to N.D. Cal. General Order No. 45, that the concurrence to the filing of this document has been obtained from each signatory hereto.

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Executed this 12th day of March, 2009, at San Francisco, California.

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By           /s/ Daven G. Lowhurst          

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Daven G. Lowhurst

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Attorneys for Plaintiff

HOMESTAKE LEAD COMPANY OF MISSOURI

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**ORDER**

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Plaintiff HOMESTAKE LEAD COMPANY OF MISSOURI and Defendant NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, having stipulated to the dismissal of the complaint herein as to that Defendant, each side to bear its own costs herein,

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IT IS HEREBY ORDERED that the complaint herein as to Defendant NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA is dismissed, with prejudice, each party to bear its own costs and attorney's fees herein.

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DATED:           3/23/09          

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