

1 **LAW OFFICES OF DAVID C. WERNER**

2 Joseph G. Young, SBN: [83069]
3 David C. Werner, SBN: [67993]
4 23422 Mill Creek Drive, Suite 110
5 Laguna Hills, California 92653
6 Telephone: (949) 460-9280
7 Facsimile: (949) 460-9286

8 Attorneys for Plaintiff: CALIFORNIA CASUALTY
9 INSURANCE COMPANY

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 CALIFORNIA CASUALTY)
14 INSURANCE COMPANY)
15)
16 Plaintiffs,)
17 v.)
18)
19 FEDERAL INSURANCE COMPANY,)
20 DOES 1-10, ROES 1-10, AND MOES 1-)
21 10, inclusive)
22)
23 Defendants.)
24)

CASE NO: C 08-02701 VRW

Assigned to the Hon. Vaughn R. Walker

STIPULATION FOR DISMISSAL WITH
PREJUDICE PURSUANT TO SETTLEMENT
AGREEMENT

25 PLAINTIFF, CALIFORNIA CASUALTY INSURANCE COMPANY, and DEFENDANT,
26 FEDERAL INSURANCE COMPANY hereby submit this Stipulation to dismiss this case with
27 prejudice.


28 WHEREAS, the parties participated in mediation with mediator Ralph O. Williams of ADR
Services at which time a settlement was agreed upon.

WHEREAS, the Settlement Agreement provides among other things that Plaintiff,
CALIFORNIA CASUALTY INSURANCE COMPANY will dismiss the case WITH prejudice,
and that Defendants, FEDERAL INSURANCE COMPANY will stipulate to the dismissal.

1 IT IS HEREBY STIPULATED by and between the parties hereto that this action shall be
2 dismissed in its entirety, WITH prejudice.

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5 DATED: August 28, 2009

LAW OFFICES OF DAVID C. WERNER

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8 DAVID C. WERNER
9 Attorney for Plaintiffs
10 CALIFORNIA CASUALTY INSURANCE CO.

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12 DATED: August 28, 2009

STROOCK & STROOCK & LAVAN LLP

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15 G.O. 45.X.B. authorization obtained
16 RICHARD R. JOHNSON
17 By: /s/ Richard R. Johnson
18 RICHARD R. JOHNSON
19 Attorney for Defendants
20 FEDERAL INSURANCE COMPANY

21 **ORDER**

22 Good cause appearing therefore, IT IS HEREBY ORDERED that this case is dismissed in
23 its entirety, with prejudice.

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25 DATED: 9/2/2009

26 
27 The Honorable Judge Vaughn R Walker
28 Judge of the Northern District Court of California

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PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 35-900 Bob Hope Drive, Suite 105, Rancho Mirage, CA 92270. On August 28, 2009, I served the within documents(s):

STIPULATION FOR DISMISSAL

[MAIL and EMAIL] by placing the documents(s) listed above in the sealed envelope with postage fully prepaid, in the United states mail at Rancho Mirage, California, addressed as set forth below:

[FACSIMILE] by transmitting *Via Facsimile* the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

[OVERNIGHT MAIL] by overnight courier of the document(s) listed above to the person(s) at the address(es) set forth below.

[PERSONAL DELIVERY] by causing delivery by Knox Attorney Service of the document(s) listed above to the person(s) at the address(es) set forth below.


[PERSONAL SERVICE] by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

[ORIGINAL PROOF OF PERSONAL SERVICE TO BE FILLED UNDER SEPARATE COVER]

SEE "SERVICE LIST" ATTACHED

I am readily familiar with the firm's practice of collection and processing correspondence for mail. Under the practice, it would be deposited with the U.S. Postal Service on the same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on August 28, 2009, in Rancho Mirage, California.


SHERRI L. LEE

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"SERVICE LIST"
CCI V. FEDERAL INSURANCE

Stroock & Stroock & Lavan LLP Michael F. Perlis, Esq. Allan S. Cohen, Esq. 2029 Century Park East Los Angeles, CA 90067	Attorneys for Defendants: FEDERAL INSURANCE COMPANY
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(310) 556-5800
FAX: (310) 556-5959