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10 Attorneys for Defendants and Counterclaimants
 11 ARTERRA MISSION BAY, LLC and INTRACORP SAN
 12 FRANCISCO, LLC

13 UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 AXIS SURPLUS INSURANCE
 17 COMPANY AND LANDMARK
 18 AMERICAN INSURANCE COMPANY,

19 Plaintiffs,

20 v.

21 ARTERRA MISSION BAY, LLC AND
 22 INTRACORP SAN FRANCISCO, LLC ,
 23 AND ROES 1 THROUGH 20,
 24 INCLUSIVE,

25 Defendants.

26 ARTERRA MISSION BAY, LLC AND
 27 INTRACORP SAN FRANCISCO, LLC ,

28 Counterclaimants,

v.

AXIS SURPLUS INSURANCE
 COMPANY AND LANDMARK
 AMERICAN INSURANCE COMPANY,

Counterdefendants.

No. CV 08 4334 CRB

STIPULATION OF DISMISSAL

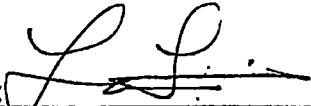
Complaint Filed: September 16, 2008

IT IS HEREBY STIPULATED by and between the parties to this action through
 their designated counsel that the above-captioned action be and is hereby dismissed

1 with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).


2 DATED: March 3, 2009

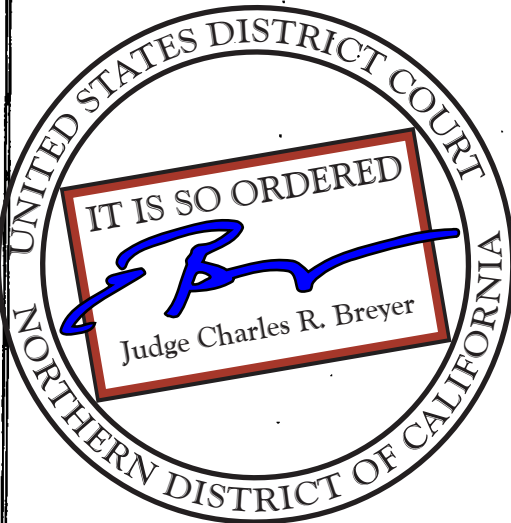
HANSON BRIDGETT LLP

3
4 By: 
5 ANDREW G. GIACOMINI
6 WALTER R. SCHNEIDER
7 LAILA JADELRAB LOURIDAS
8 Attorneys for Defendants and
9 Counterclaimants
10 Arterra Mission Bay, LLC and Intracorp
11 San Francisco, LLC

10 DATED: March 3, 2009

BULLIVANT HOUSER BAILEY PC

11
12 By: 
13 JESS B. MILLIKAN
14 LLOYD BERNSTEIN
15 PETER ROLDAN
16 Attorneys for Plaintiffs and
17 Counterdefendants
18 Axis Surplus Insurance Company and
19 Landmark American Insurance
20 Company



1 **PROOF OF SERVICE**

2 **Axis Surplus Insurance, et al. v. Arterra Mission Bay, LLC**

3 I, A. Adiam Gebremicael, declare that I am a resident of the State of
4 California. I am over the age of 18 years and not a party to the action entitled *Axis*
5 *Surplus Insurance, et al. v. Arterra Mission Bay, LLC*; that my business address is 425
6 Market Street, 26th Floor, San Francisco, California 94105. On March 9, 2009, I served
7 a true and accurate copy of the document(s) entitled:

8 **Stipulation of Dismissal dated March 9, 2009**

9 on the party(ies) in this action by placing said copy(ies) in a sealed envelope, each
10 addressed to the last address(es) given by the party(ies) as follows:

11 Jess B. Millikan, Esq.
12 Bullivant Houser Bailey PC
13 601 California Street, Suite 1800
14 San Francisco, CA 94108-2823
15 Phone: (415) 352-2718
16 Fax: (415) 352-2701
17 E-Mail: jess.millikan@bullivant.com

18 (By First Class Mail pursuant to Code of Civil Procedure section 1013.) I
19 am readily familiar with Hanson Bridgett's practices for collecting and
20 processing documents for mailing with United States Postal Service.
21 Following these ordinary business practices, I placed the above referenced
22 sealed envelope(s) for collection and mailing with the United States Postal
23 Service on the date listed herein at 425 Market Street, 26th Floor, San
24 Francisco, California 94105. The above referenced sealed envelope(s)
25 will be deposited with the United States Postal Service on the date listed
26 herein in the ordinary course of business.

27 (By Express Mail pursuant to Code of Civil Procedure section 1013.) I
28 deposited each sealed envelope, with the postage prepaid, to be delivered
via _____ to the party(ies) so designated on the service list.

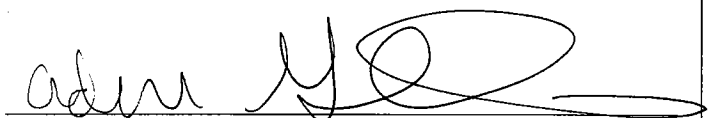
(By Telecopy Fax pursuant to Code of Civil Procedure section 1013.) I am
readily familiar with Hanson Bridgett's practice for processing of documents
via Telefax. Following these ordinary business practices, I directed that the
above referenced documents(s) be placed in the Telefax machine, with all
costs of Telefaxing prepaid, directed to each of the party(ies) listed on the
attached service list using the last Telefax numbers(s) given by the
party(ies), and processed through the Telefax equipment, until a report is
provided by that equipment indicating that the Telefax operation was
successful. A copy of the Telefax report indicating successful transmission
is attached hereto.

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(By Electronic Transmission based on a court order or an agreement of the parties to accept service by email or electronic transmission.) I am readily familiar with Hanson Bridgett's practices for transmitting documents by electronic mail via internet service provider. I caused the documents to be sent to the persons at the email addresses listed for each addressee on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and was executed on March 9, 2009, at San Francisco, California.


A. Adiam Gebremicael