

1 R. MAC PROUT, State Bar # 101263
 SHARON B. FUTERMAN, State Bar # 124238
 2 LAURIE L. MARQUIS, State Bar # 195989
PROUT • LeVANGIE
 3 2021 N Street
 Sacramento, CA 95811
 4 Tel: (916) 443-4849
 Fax: (916) 443-4855

5 Attorneys for Plaintiff
 6 PHILADELPHIA INDEMNITY INSURANCE COMPANY

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10
 11 PHILADELPHIA INDEMNITY
 INSURANCE COMPANY,

12 Plaintiff,

13 v.

14 WESTCHESTER SURPLUS LINES
 15 INSURANCE COMPANY, AMERICAN
 INTERNATIONAL SPECIALTY LINES
 16 INSURANCE COMPANY, FEDERAL
 INSURANCE COMPANY, ILLINOIS
 17 UNION INSURANCE COMPANY, and
 DOES 1 – 100,

18 Defendants.
 19

CASE NO. 4:08-CV-05686-SBA
 (Unlimited Jurisdiction)

**STIPULATION AND ORDER OF
 DISMISSAL AS TO AMERICAN
 INTERNATIONAL SPECIALTY LINES
 INSURANCE COMPANY ONLY;
 ORDER
 [Pursuant to FRCP, Rule 41(a)(2)]**

20 Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, plaintiff

21 PHILADLEPHIA INDEMNITY INSURANCE COMPANY hereby dismisses, with prejudice,

22 defendant AMERICAN INTERNATIONAL SPECIALTY LINES INSURANCE COMPANY,

23 ONLY, pursuant to the following terms:

24
 25 1. The dismissal is in favor of defendant AMERICAN INTERNATIONAL
 26 SPECIALTY LINES INSURANCE COMPANY ONLY;

27 2. The dismissal is with prejudice;
 28

1 3. Plaintiff PHILADELPHIA INDEMNITY INSURANCE COMPANY and
2 defendant AMERICAN INTERNATIONAL SPECIALTY LINES INSURANCE COMPANY
3 each agree to assume their owns costs and attorney's fees incurred in this action.

4 DATED: December ____, 2009 **PROUT • LEVANGIE**

6 By: _____
7 SHARON B. FUTERMAN – SBN 124238
8 Attorneys for Plaintiff PHILADELPHIA
9 INDEMNITY INSURANCE COMPANY

10 DATED: December ____, 2009 **KRIEG, KELLER, SLOAN, REILLEY & ROMAN
11 LLP**

12 By: _____
13 ALLISON L. COOPER – SBN 152384
14 Attorneys for Defendant
15 AMERICAN INTERNATIONAL SPECIALITY
16 LINES INSURANCE COMPANY

17 DATED: December ____, 2009 **COZEN O'CONNOR**

18 By: _____
19 JOHN L. WILLIAMS – SBN 152384
20 Attorneys for Defendants
21 WESTCHESTER SURPLUS LINES INSURANCE
22 COMPANY and ILLINOIS UNION INSURANCE
23 COMPANY

24 **ORDER**

25 Pursuant to stipulation, IT IS SO ORDERED

26 Dated: 1/11/10

27 

28 Sandra Brown Armstrong
United States District Judge

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