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Attorneys for Plaintiffs

9 **IN THE UNITED STATES DISTRICT COURT**
10 **IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 ARVIN REECE and JUDITH REECE,)

12 Plaintiffs,)

13 vs.)

14 ASBESTOS DEFENDANTS (BP), et al.,)

15 Defendants.)

No. C09-01074 ~~BZ~~ *WHA*

STIPULATION TO DISMISS
DEFENDANT CROWN CORK & SEAL
AND REMAND CASE TO SAN
FRANCISCO SUPERIOR COURT

16
17 Come now Plaintiffs ARVIN REECE and JUDITH REECE (“Plaintiffs”) and Defendant
18 CROWN CORK AND SEAL COMPANY INC. (“CC&S”), who file the following stipulation
19 pursuant to Local Rules 7-1 and 7-12:

20 WHEREAS, defendant CC&S removed this case to the United State District Court for
21 the Northern District of California on March 6, 2009, on the ground that the court has “federal
22 officer” subject matter jurisdiction under 28 United States Code § 1442(a) based on Plaintiffs’
23 allegations that his injury was caused by products designed and manufactured by CC&S under
24 the supervision and control of the United States government;

25 WHEREAS, Defendant CC&S was the sole removing defendant and no other defendant
26 joined in removal or filed a separate notice of removal;

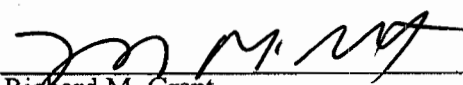
27 WHEREAS, Plaintiffs and Defendant CC&S, the affected parties, have now reached a
28 resolution of Plaintiffs’ claims again CC&S;

1 WHEREAS, Defendant CC&S's desire for a federal forum for this action is now moot
2 and given the resolution of Plaintiffs' claims against it; and

3 WHEREAS, pursuant to the parties' resolution, Plaintiffs and Defendant CC&S seek to
4 have this action remanded to state court, IT IS HEREBY STIPULATED by the affected parties,
5 Plaintiffs and Defendant CC&S, that all claims against Defendant CC&S shall be, and hereby
6 are, dismissed with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure and
7 that this action shall be, and hereby is, immediately remanded to the San Francisco County
8 Superior Court, the court in which it was originally filed and from which it was removed.

9 Dated: March 16, 2009

BRAYTON ❖ PURCELL LLP

10
11 By: 
12 Richard M. Grant
13 Attorneys for Plaintiffs ARVIN REECE, et al.

14 Dated: March 16, 2009

ARMSTRONG & ASSOCIATES, LLP

15
16 By: 
17 Attorneys for Defendant CROWN CORK &
18 SEAL

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** Case is REMANDED to the
20 Superior Court of California, County of San Francisco, Case No 274951. The Clerk shall send
21 a certified copy of this Order to the Clerk of the Court for the Superior Court of California,
22 County of San Francisco.
23

24
25 Dated: March 20, 2009

By: 
26 UNITED STATES DISTRICT COURT
27

28

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 Matter Number: 110586.001 - Arvin Reece

Run By : Ehni, Jane (JAE)

Armstrong & Associates, LLP

One Kaiser Plaza, Suite 625
 Oakland, CA 94612
 510-433-1830 510-433-1836 (fax)

Defendants:

Crown Cork & Seal Company, Inc.
 (CC&S)

Bassi, Martini, Edlin & Blum

351 California Street, Suite 200
 San Francisco, CA 94104
 415-397-9006 415-397-1339 (fax)

Defendants:

J.T. Thorpe & Son, Inc. (THORPE)
 Parker-Hannifin Corporation (PARKHF)

Berry & Berry

P.O. Box 16070
 2930 Lakeshore Avenue
 Oakland, CA 94610
 510-835-8330 510-835-5117 (fax)

Defendants:

Berry & Berry (B&B)

Brydon Hugo & Parker

135 Main Street, 20th Floor
 San Francisco, CA 94105
 415-808-0300 415-808-0333 (fax)

Defendants:

Dana Companies, LLC (fka Dana Corporation) (DANA)
 Toyota Motor Sales U.S.A., Inc. (TOYOTA)
 Union Carbide Corporation (UNIONC)

Burnham & Brown

1901 Harrison Street
 11th Floor
 Oakland, CA 94612
 510-444-6800 510-835-6666 (fax)

Defendants:

Borg-Warner Corporation by its Successor in Interest, BorgWarner Morse TEC Inc. (BWMORS)

Crosby & Rowell, LLP

299 Third Street, 2nd Floor
 Oakland, CA 94607
 510-267-0300 510-839-6610 (fax)

Defendants:

Goulds Pumps, Inc. (GOULDP)

Filice, Brown, Eassa & McLeod LLP

1999 Harrison Street, 18th Floor
 Oakland, CA 94612-0850
 510-444-3131 510-839-7940 (fax)

Defendants:

Ford Motor Company (FORD)
 General Motors Corporation (GM)

Foley & Mansfield PLLP

1111 Broadway, 10th Floor
 Oakland, CA 94607
 510-590-9500 510-590-9595 (fax)

Defendants:

William Powell Company, The (WILPOW)

Gordon & Rees LLP

101 West Broadway
 Suite 2000
 San Diego, CA 92101
 619-696-6700 619-696-7124 (fax)

Defendants:

Hennessy Industries, Inc. (HENNES)

Gordon & Rees LLP

Embarcadero Center West
 275 Battery Street, 20th Floor
 San Francisco, CA 94111
 415-986-5900 415-986-8054 (fax)

Defendants:

Gardena Holdings, Inc. (GARHOL)
 Goodyear Tire & Rubber Company, The (GOODYR)
 Ingersoll-Rand Company (INGRSL)

Jackson & Wallace

55 Francisco Street
 Sixth Floor
 San Francisco, CA 94133
 415-982-6300 415-982-6700 (fax)

Defendants:

Buffalo Pumps, Inc. (BUFPUM)
 General Dynamics Corporation (GENDYN)

K & L Gates LLP

Four Embarcadero Center
 Suite 1200
 San Francisco, CA 94111
 415-882-8200 415-882-8220 (fax)

Defendants:

Crane Co. (CRANCO)

Knox Ricksen LLP

1300 Clay Street, Suite 500
 Oakland, CA 94612-1427
 510-285-2500 510-285-2505 (fax)

Defendants:

Allis-Chalmers Corporation Product Liability Trust (ALLIS)

Law Offices of Glaspy & Glaspy

One Walnut Creek Center
 100 Pringle Avenue, Suite 750
 Walnut Creek, CA 94596
 925-947-1300 925-947-1594 (fax)

Defendants:

Coltec Industries, Inc. (COLTEC)
 Garlock Sealing Technologies, LLC (GARLCK)

Lewis Brisbois Bisgaard & Smith LLP

One Sansome Street
 Suite 1400
 San Francisco, CA 94104
 415-362-2580 415-434-0882 (fax)

Defendants:

Hanson Permanente Cement, Inc. formerly known as Kaiser Cement Corporation (KAISCE)
 Kaiser Gypsum Company, Inc. (KAISGY)
 Plant Insulation Company (PLANT)

Low, Ball & Lynch

505 Montgomery Street, 7th Floor
 San Francisco, CA 94111-2584
 415-981-6630 415-982-1634 (fax)

Defendants:

Moore Securities Company (MOOSEC)

Mason Thomas

2840 Fifth Street
 Davis, CA 95618-7759
 530-757-0883 530-757-0895 (fax)

Defendants:

AGCO Corporation (AGCO)

McKenna Long & Aldridge

101 California Street
 41st Floor
 San Francisco, CA 94111
 415-267-4000 415-267-4198 (fax)

Defendants:

Plant Insulation Company (PLANT)

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Run By : Ehni, Jane (JAE)

Mendes & Mount

445 S. Figueroa Street
 38th Floor
 Los Angeles, CA 90071
 213-955-7700 213-955-7725 (fax)

Defendants:

Gardena Holdings, Inc. (GARHOL)

Nixon Peabody LLP

One Embarcadero
 18th Floor
 San Francisco, CA 94111
 415-984-8200 866-542-6538 (fax)

Defendants:

Chrysler LLC (CHRYS)

Oium Reyen & Pryor

Attorneys at Law
 220 Montgomery Street, Suite 910
 San Francisco, CA 94104
 415-392-8300 415-421-1254 (fax)

Defendants:

CNH America LLC (CNHAME)

Perkins Coie LLP

Four Embarcadero Center, Suite 2400
 San Francisco, CA 94111
 415-344-7000 415-344-7288 (fax)

Defendants:

Georgia-Pacific Corporation (GP)
 Honeywell International, Inc. (HONEYW)

Pond North, LLP

350 South Grand Avenue, Suite 2850
 Los Angeles, CA 90071
 213-617-6170 213-623-3594 (fax)

Defendants:

Genuine Parts Company (GPC) (GPC)
 Viacom, Inc. (VIACOM)

Poole & Shaffery, LLP

445 South Figueroa Street
 Suite 2520
 Los Angeles, CA 90071
 213-439-5390 213-439-0183 (fax)

Defendants:

Gardner Denver, Inc. (GRDDEN)

Prindle, Decker & Amaro

369 Pine St., Suite 800
 San Francisco, CA 94104
 415-788-8354 415-788-3625 (fax)

Defendants:

Syd Carpenter Marine Contractor, Inc.
 (SYD)

Schiff Hardin LLP

One Market Plaza
 Spear Street Tower, 32nd Floor
 San Francisco, CA 94105
 415-901-8700 415-901-8701 (fax)

Defendants:

Owens-Illinois, Inc. (OI)

Selman Breitman LLP

33 New Montgomery
 6th floor
 San Francisco, CA 94105
 415-979-0400 415-979-2099 (fax)

Defendants:

Aurora Pump (AURORA)

Sinunu Bruni LLP

333 Pine Street, Suite 400
 San Francisco, CA 94104
 415-362-9700 415-362-9707 (fax)

Defendants:

Conwed Corporation (CONWED)

Steptoe & Johnson LLP

Kevin C. Mayer, Esq.
 633 West Fifth St., 7th Floor
 Los Angeles, CA 90071
 213-439-9400 213-439-9599 (fax)

Defendants:

Metropolitan Life Insurance Company
 (MET)

Stevens, Drummond & Gifford

1910 Olympic Boulevard
 Suite 250
 Walnut Creek, CA 94596
 925-944-5550 925-256-9669 (fax)

Defendants:

Kelly-Moore Paint Company, Inc.
 (KELLY)

Walsworth, Franklin, Bevins & McCall

601 Montgomery Street, 9th Floor
 San Francisco, CA 94111
 415-781-7072 415-391-6258 (fax)

Defendants:

Bondex International, Inc. (BONDEX)
 Cleaver-Brooks, Inc. (CLEAVR)
 Dowman Products, Inc. (DOWMAN)
 Hamilton Materials, Inc. (HAM-M)
 Quintec Industries, Inc. (QUINTC)
 Rpm, Inc. (RPMINC)
 Thomas Dee Engineering Co., Inc. (DEE)

Wilson, Elser, Moskowitz, Edelman &

Dicker LLP
 525 Market Street, 17th Floor
 San Francisco, CA 94105-2725
 415-433-0990 415-434-1370 (fax)

Defendants:

Asbestos Corporation Limited (ASBLTD)