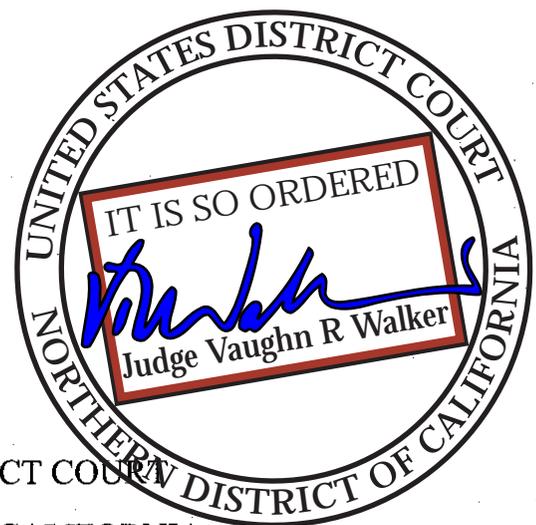


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11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

Dated: 5/15/2009

11 American Contractors Indemnity Company,  
 12 Plaintiff,  
 13 v.  
 14 Defendant Comerica Bank & Trust, Inc., and  
 15 DOES 1 through 50, inclusive,  
 16 Defendants.

CASE NO.: CV 09-1102-JCS- VRW  
 Judge: Hon. Vaughn R Walker  
 DEPT: 6

**DISMISSAL PURSUANT TO  
 FRCP, Rule 41(a)(1)(A)(i)**

17 **VOLUNTARY DISMISSAL**  
 18 **(Without Prejudice)**

19 Pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1)(A)(i), the captioned  
 20 matter shall be and is hereby dismissed, as to all parties, **without prejudice**.

21 Respectfully submitted,

22 DATED: May 14, 2009

So Stipulated

23 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
 24 MARK A. OERTEL  
 25 ROBERT A. WOOTEN, JR.  
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27 By   
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4830-9028-4035.1

**DISMISSAL PURSUANT TO FRCP, RULE 41(A)(1)(A)(I)**