

1 Ronald C. Chauvel (SBN 083182) [email: ron@greenechauvel.com]
 A.K. Abraham (SBN 086870) [email: mediatr@greenechauvel.com]
 2 Ahyoung L. Kim (SBN 249146) [email: akim@greenechauvel.com]
 GREENE, CHAUVEL, DESCALSO & MINOLETTI, P.C.
 3 155 Bovet Road, Suite 780
 San Mateo, California 94402
 4 Telephone: 650-573-9500
 Facsimile: 650-573-9689

5
 6 Attorneys for Defendant/Cross-Defendant/Cross-Claimant
 FREDRICK SHUMATE dba SHUMATE ENTERPRISES, LLC

7 Attorneys for Cross-Defendant/Cross-Claimant
 SHUMATE ENTERPRISES, LLC
 8

9
 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 TRAVELERS INDEMNITY OF
 CONNECTICUT; MARINPAK MPK
 SONOMA, INC.,

13 Plaintiffs,

14 v.

15 COLMA DRAYAGE, INC.; DEVINCENZI
 16 TRUCKING, INC.; FREDRICK SHUMATE
 dba SHUMATE ENTERPRISES, LLC and
 17 DOES 1-20, inclusive,

18 Defendants.

Case No.: 3:09-CV-03118SC

**NOTICE AND STIPULATION OF
 DISMISSAL OF CROSS-CLAIM
 AGAINST HAPAG-LLOYD (AMERICA),
 INC., BY FREDRICK SHUMATE dba
 SHUMATE ENTERPRISES, LLC, AND
 SHUMATE ENTERPRISES, LLC**

[F.R.C.P. 41(a)(1)]

19
 20 AND ALL RELATED CROSS-CLAIMS
 21
 22

23 TO EACH PARTY, THEIR RESPECTIVE COUNSEL, AND TO THE HONORABLE COURT:
 24 PLEASE TAKE NOTICE THAT Defendant/Cross-Defendant/Cross-Claimant,
 25 FREDRICK SHUMATE dba SHUMATE ENTERPRISES, LLC ("SHUMATE"), and Cross-
 26 Defendant/Cross-Claimant, SHUMATE ENTERPRISES, LLC ("SHUMATE LLC"), now
 27 dismiss their Cross-Claim against Cross-Defendant, HAPAG-LLOYD (AMERICA), INC., only,
 28 under Federal Rules of Civil Procedure Rule 41(a)(1), by the stipulation of all parties that have

GREENE, CHAUVEL,
 DESCALSO & MINOLETTI,
 P.C.
 155 Bovet Road, Suite 780
 San Mateo, CA 94402-3155

1 appeared in the above-entitled action. This dismissal will be without prejudice, with each party to
2 bear its own costs.

3 The parties to the above-entitled action, by and through their respective undersigned
4 counsel, stipulate to the voluntary dismissal under F.R.C.P. 41(a)(1) of the Cross-Claim by
5 SHUMATE and SHUMATE LLC, against HAPAG-LLOYD (AMERICA), INC., only.
6

7 Dated: April 9, 2010

GREENE, CHAUVEL, DESCALSO & MINOLETTI, P.C.

8
9 By: _____ /s/
10 Ahyoung L. Kim,
11 Attorneys for Defendant/Cross-Defendant/Cross-Claimant,
12 FREDRICK SHUMATE dba
13 SHUMATE ENTERPRISES, LLC. and
14 Cross-Defendant/Cross-Claimant,
15 SHUMATE ENTERPRISES, LLC

14 Dated: April 9, 2010

ELIE & ASSOCIATES

16 By: _____ /s/
17 Daniel T. Schmaeling,
18 Attorneys for Plaintiffs,
19 TRAVELERS INDEMNITY COMPANY OF
20 CONNECTICUT and MARINPAK MPK SONOMA, INC.

20 Dated: April 9, 2010

MARANGA & MORGENSTERN

22 By: _____ /s/
23 Richard Ozowski,
24 Attorneys for Cross-Defendant,
25 COLMA DRAYAGE

25 ////

26 ////

27 ////

28 ////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 9, 2010

LaMORE, BRAZIER, RIDDLE & GIAMPAOLI

By: _____ /s/
Eric Steinle,
Attorneys for Defendant/Cross-Complainant,
Cross-Defendant, and Third-Party Complainant,
DEVINCENZI TRUCKING, INC.

Dated: April 9, 2010

KEESAL, YOUNG & LOGAN

By: _____ /s/
John D. Giffin,
Attorneys for Cross-Defendant,
HAPAG-LLOYD (AMERICA), INC.

Dated: April 9, 2010

BERENY & WALLACE

By: _____ /s/
Josh Bereny,
Attorneys for Third-Party Defendants and
Counter-Claimants.
CARRIZ, INC.; SSA MARINE; and
SSA TERMINALS, LLC.

