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12 Attorneys for Third-Party Defendant  
 13 PACIFIC INDEMNITY COMPANY

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 (SAN FRANCISCO DIVISION)

17 NORTHERN CALIFORNIA RIVER  
 18 WATCH, a non-profit corporation,

19 Plaintiff,

20 vs.

21 GOLDEN TECHNOLOGY COMPANY,  
 22 ARNOLD CARSTON, LARRY  
 23 CARRILLO, FRANCINE CLAYTON,  
 24 DOES 1 - 30, Inclusive,

25 Defendants.

26 ARNOLD CARSTON, LARRY  
 27 CARRILLO and FRANCINE CLAYTON

28 Cross-Complainants

vs.

PACIFIC INDEMNITY COMPANY,

Cross-Defendant

Case No. 3:09-cv-05496 (WHA)

**STIPULATION OF DISMISSAL OF THIRD-  
 PARTY CLAIMS AGAINST PACIFIC  
 INDEMNITY COMPANY; ~~PROPOSED~~  
 ORDER**

**[FRCP 41(A)]**

Pursuant to Federal Rule of Civil Procedure 41(a), it is hereby stipulated and agreed by and between Third-Party Plaintiffs ARNOLD CARSTON, LARRY CARRILLO and FRANCINE CLAYTON, and Third-Party Defendant PACIFIC INDEMNITY COMPANY that all claims alleged in the "Third Party Cross-Complaint Against Pacific Indemnity Company for Breach of Contract and Implied Contractual Indemnity" against PACIFIC INDEMNITY COMPANY (see Dkt. No. 51 in Case No. 3:09-cv-02581 and Case No. 3:09-cv-05496, as modified by stipulation and order in Case No. 3:09-cv-05496) is dismissed without prejudice. The same applies to the Cross-Complaint filed against PACIFIC INDEMNITY COMPANY in Case No. 3:09-cv-02581 (Dkt. No. 31 in Case No. 3:09-cv-02581) in that it is dismissed without prejudice. Each party agrees to bear its own costs of suit.

**IT IS SO STIPULATED.**

DATED: June 19, 2010

SQUIRE, SANDERS & DEMPSEY L.L.P.

By: David A. Gabianelli  
DAVID A. GABIANELLI

Attorneys for Third-Party Defendant  
PACIFIC INDEMNITY COMPANY

DATED: June 23, 2010

BEYERS COSTIN

By: Peter L. Simon  
PETER L. SIMON

Attorneys for Defendants and Third-Party  
Plaintiffs ARNOLD CARSTON, LARRY  
CARRILLO and FRANCINE CLAYTON

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: June 24, 2010.

HONORABLE  
JUDGE

William Alsup  
Judge William Alsup