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13 Attorneys for Plaintiff
 CITY AND COUNTY OF SAN FRANCISCO

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**

17 CITY AND COUNTY OF SAN
 18 FRANCISCO,

19 Plaintiff,

20 v.

21 LEXINGTON INSURANCE
 COMPANY, Does 1-30, inclusive

22 Defendants.

No. CV 10-2188

STIPULATION OF DISMISSAL

23
 24 Plaintiff CITY AND COUNTY OF SAN FRANCISCO (“CCSF”) and Defendant
 25 LEXINGTON INSURANCE COMPANY (“LEXINGTON”), through their respective
 26 counsel, file this stipulation of dismissal pursuant to Rule 41(a)(1)(A)(ii) of the Federal
 27 Rules of Civil Procedure.
 28

1 1. On or about April 22, 2010, CCSF filed a complaint against LEXINGTON in
2 California Superior Court, San Francisco County.

3 2. On or about May 20, 2010, LEXINGTON filed a notice of removal to
4 remove the case to this Court.

5 3. No other party has appeared in this case.

6 4. CCSF moves to dismiss the suit.

7 5. LEXINGTON, which served a motion to dismiss the suit on or about June
8 4, 2010, agrees to the dismissal.

9 6. This case is not a class action.

10 7. A receiver has not been appointed in this case.

11 8. This case is not governed by any federal statute that requires a Court order
12 for dismissal of the case.

13 9. CCSF has not previously dismissed any federal- or state-court suit based
14 on or including the same claims as those presented in this case.

15 10. This dismissal is with prejudice to refiling.

16 IT IS SO STIPULATED:

17 DATED: February 4, 2011

HANSON BRIDGETT LLP

19 By: s/ Walter R. Schneider
20 WALTER R. SCHNEIDER
21 Attorneys for Plaintiff CITY AND
22 COUNTY OF SAN FRANCISCO

22 IT IS SO STIPULATED:

23 DATED: February 4, 2011

McCURDY & FULLER, LLP

25 By: s/ Mary P. McCurdy
26 MARY P. McCURDY
27 Attorneys for Defendant LEXINGTON
28 INSURANCE COMPANY

