

\*E-Filed 1/30/12\*

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 6 INTERSTATE FIRE & CASUALTY COMPANY

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10 **(San Francisco)**

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12 SIERRA BAY CONTRACTORS, INC., A  
 California Corporation,

13 Plaintiff,

14 v.

15 WESTCHESTER SURPLUS LINES  
 16 INSURANCE COMPANY, a Georgia  
 corporation, and ROES 1 through 50,  
 17 inclusive,

18 Defendants.

19 AND RELATED CROSS-ACTIONS  
 20

CASE NO: 3:10-CV-04611-RS

**STIPULATION AND [PROPOSED]  
 ORDER FOR DISMISSAL OF  
 CROSS-DEFENDANT NAVIGATORS  
 SPECIALTY INSURANCE  
 COMPANY, FORMERLY KNOWN  
 AS NIC INSURANCE COMPANY**

21 Pursuant to F.R.C.P. 41, Cross-Defendant, Navigators Specialty Insurance Company,  
 22 formerly known as NIC Insurance Company (“Navigators”), and Cross-Claimant, Interstate Fire  
 23 & Casualty Company (“Interstate”), have agreed and hereby stipulate to the dismissal of  
 24 Navigators from Interstate’s Cross-Claim, with prejudice, subject to said parties’ mutual waiver  
 25 of costs. Said parties request the Court’s approval and execution of the below proposed order for  
 26 dismissal.


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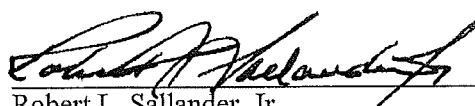
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IT IS SO STIPULATED.

DATE: Jan. 22, 2012 By:

  
\_\_\_\_\_  
Mark W. Peck  
Attorneys for Third-Party Defendant and Cross-Claimant  
INTERSTATE FIRE & CASUALTY COMPANY  
CASUALTY COMPANY

DATE: Jan 23, 2012 By:

  
\_\_\_\_\_  
Robert L. Sallander, Jr.  
Attorneys for Third-Party Defendant and Cross-Defendant  
NAVIGATORS SPECIALTY INSURANCE COMPANY,  
formerly known as NIC INSURANCE COMPANY

~~PROPOSED~~ ORDER OF PARTIAL DISMISSAL

Having reviewed the above stipulation, the Court orders that Third-Party Defendant and Cross-Claimant, Interstate Fire & Casualty Company's cross-claim against Third-Party Defendant and Cross-Defendant Navigators Specialty Insurance Company, formerly known as NIC Insurance Company, be dismissed, with prejudice. The remainder of the cross-claims shall not be changed or impacted by this Order.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/30/12

  
\_\_\_\_\_  
United States District Court  
District of Northern California