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5 Attorneys for Third-Party Defendant and
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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,
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 Plaintiff,
 14
 v.
 15
 WESTCHESTER SURPLUS LINES
 16 INSURANCE COMPANY, a Georgia
 corporation, and ROES 1 through 50,
 17 inclusive,
 18 Defendants.

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

STIPULATION AND [PROPOSED]
 ORDER FOR DISMISSAL OF CROSS-
 DEFENDANT AMERICAN SAFETY
 INDEMNITY COMPANY

19 AND RELATED CROSS-ACTIONS

22 Pursuant to F.R.C.P. 41, Cross-Defendant, American Safety Indemnity Company
 23 (“American”), and Cross-Claimant, Interstate Fire & Casualty Company (“Interstate”), have
 24 agreed and hereby stipulate to the dismissal of American from Interstate’s Cross-Claim, without
 25 prejudice, subject to said parties’ mutual waiver of costs. Said parties request the Court’s
 26 approval and execution of the below proposed order for dismissal.

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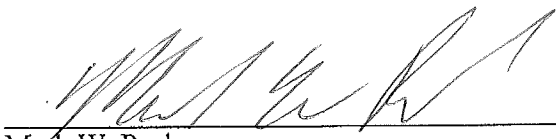
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1 IT IS SO STIPULATED.

2 WILSON & ELLIN

3
4 DATE: 6/6/12

By:


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

8 LAW OFFICES OF SEMHA ALWAYA

9
10 DATE: 6/5/12


By:


Semha Alwaya
Attorneys for Cross-Defendant
AMERICAN SAFETY INDEMNITY COMPANY

12
13 ~~PROPOSED~~ ORDER OF PARTIAL DISMISSAL

14 Having reviewed the above stipulation, the Court orders that Third-Party Defendant and
15 Cross-Complainant, Interstate Fire & Casualty Company's cross-claim against Cross-Defendant
16 AMERICAN SAFETY INDEMNITY COMPANY, be dismissed, without prejudice. The
17 remainder of the cross-claims shall not be changed or impacted by this Order.

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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21 United States District Court
22 District of Northern California
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