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7 Attorneys for Defendant / Third-Party Plaintiff, WESTCHESTER
 8 SURPLUS LINES INSURANCE COMPANY

9 UNITED STATES DISTRICT COURT
 10 NORHTERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO

13)	CASE NO.: 3:10-cv-04611-RS
14	SIERRA BAY CONTRACTORS, INC.,)	STIPULATION AND [PROPOSED] ORDER FOR DISMISSAL OF NAVIGATORS SPECIALTY INSURANCE COMPANY
15	A California Corporation,)	
16	Plaintiff,)	
17	vs.)	
18	WESTCHESTER SURPLUS LINES)	
19	INSURANCE COMPANY, a Georgia)	
20	corporation, and DOES 1 through 50, inclusive,)	
21	Defendants.)	
22	_____)	
	AND RELATED CROSS-ACTIONS)	
	_____)	

23 Pursuant to F.R.C.P. 41, Defendant and Third-Party Plaintiff, Westchester Surplus Lines
 24 Insurance Company (“Westchester”), and Third-Party Defendant, Navigators Specialty Insurance
 25 Company (“Navigators Specialty”), have agreed and hereby stipulate to the dismissal of
 26 Navigators Specialty from Westchester’s First Amended Third-Party Complaint, with prejudice,
 27 subject to said parties’ mutual waiver of costs. Said parties request the Court’s approval and
 28 execution of the below proposed order for dismissal.

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IT IS SO STIPULATED.

DATE: December 19, 2012

GREENAN, PEFFER, SALLANDER &
LALLY, LLP

By: /s/ Robert L. Sallander, Jr.
ROBERT L. SALLANDER, JR.
Attorneys for Third-Party Defendant,
NAVIGATORS SPECIALTY INSURANCE
COMPANY

DATE: December 19, 2012

MORALES, FIERRO & REEVES

By: /s/ David Astengo
DAVID A. ASTENGO
Attorneys for Defendant and Third-Party
Plaintiff, WESTCHESTER SURPLUS LINES
INSURANCE COMPANY

[PROPOSED] ORDER OF PARTIAL DISMISSAL

Having reviewed the above stipulation, the Court orders that Defendant and Third-Party Plaintiff, Westchester Surplus Lines Insurance Company's, First Amended Third-Party Complaint against Third-Party Defendant, Navigators Specialty Insurance Company, be dismissed, with prejudice. The remainder of Westchester Surplus Lines Insurance Company's First Amended Third-Party Complaint shall not be changed or impacted by this Order.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: 12/20/12



HONORABLE RICHARD SEEBORG
United States District Court
Northern District of California