

IT IS SO STIPULATED.

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DATE: December 19, 2012

SELVIN WRAITH HALMAN, LLP

By: /s/ Gary R. Selvin
GARY R. SELVIN
Attorneys for Third-Party Defendant,
LEXINGTON 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, Lexington 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 SEEBOURG
United States District Court
Northern District of California