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6 Attorneys for Defendant and Third-Party Plaintiff,
WESTCHESTER SURPLUS LINES INSURANCE COMPANY
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 SIERRA BAY CONTRACTORS, INC., a
11 California Corporation,

12 Plaintiff,

13 vs.

14 WESTCHESTER SURPLUS LINES
INSURANCE COMPANY, a Georgia
15 Corporation, and ROES 1 through 50, inclusive,

16 Defendants.

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

**STIPULATION AND [PROPOSED]
ORDER FOR DISMISSAL OF THIRD-
PARTY DEFENDANT FEDERATED
SERVICE INSURANCE COMPANY**

17 AND RELATED THIRD-PARTY CLAIMS
18


19 Pursuant to F.R.C.P. 41, Third-Party Defendant Federated Service Insurance Company.
20 ("Federated") and Third-Party Claimant Westchester Surplus Lines Insurance Company
21 ("Westchester") have agreed and hereby stipulate to the dismissal of Federated from this action,
22 without prejudice, subject to said parties' mutual waiver of costs. Said parties request the Court's
23 approval and execution of the below proposed order for dismissal.
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IT IS SO STIPULATED.

Dated: August __, 2011

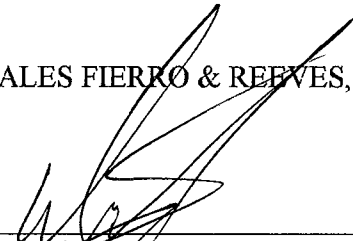
LAW OFFICES OF SEMHA ALWAYS,
A PROFESSIONAL CORPORATION

By: 

Semha Always
Counsel for Third-Party Defendant
FEDERATED SERVICE INSURANCE COMPANY

Dated: August 3, 2011

MORALES FIERRO & REEVES, LLP,

By: 

David A. Astengo
Counsel for Third-Party Defendant
WESTCHESTER SURPLUS LINES
INSURANCE COMPANY

PROPOSED ORDER OF PARTIAL DISMISSAL

Having reviewed the above stipulation, the Court orders that Third-Party Claimant Westchester Surplus Lines Insurance Company's claims against Third-Party Defendant Federated Service Insurance Company be dismissed, without prejudice. The remainder of the third-party complaint shall not be changed or impacted by this Order.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/3/11



United States District Court
District of Northern California