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8 Attorneys for Plaintiffs



8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

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<p>11 TRUSTEES OF THE BRICKLAYERS LOCAL )          12 NO. 3 PENSION TRUST; TRUSTEES OF THE )          13 LOCAL NO. 7 PENSION TRUST; TRUSTEES )          14 OF THE BRICKLAYERS LOCAL NO. 3 )          15 HEALTH AND WELFARE TRUST; TRUSTEES )          16 OF THE BRICKLAYERS AND ALLIED )          17 CRAFTS LOCAL NO. 3 APPRENTICE )          18 TRAINING TRUST; INTERNATIONAL UNION )          19 OF BRICKLAYERS AND ALLIED )          20 CRAFTSMEN, AFL-CIO, LOCAL UNION NO. 3, )          21 on behalf of itself and as agent for its members; )          22 TRUSTEES OF THE INTERNATIONAL UNION )          23 OF BRICKLAYERS AND ALLIED )          24 CRAFTSMEN PENSION FUND; TRUSTEES OF )          25 THE NORTHERN CALIFORNIA TILE )          26 INDUSTRY PENSION TRUST; TRUSTEES OF )          27 THE NORTHERN CALIFORNIA TILE )          28 INDUSTRY HEALTH AND WELFARE TRUST )          FUND; TRUSTEES OF THE NORTHERN )          CALIFORNIA TILE INDUSTRY )          APPRENTICESHIP AND TRAINING TRUST )          FUND; TILE INDUSTRY PROMOTION FUND )          OF NORTHERN CALIFORNIA, INC., a not-for- )          profit California corporation; and TILE )          EMPLOYERS CONTRACT ADMINISTRATION )          FUND, )          Plaintiffs, )          vs. )          CAPITOL CITY TILE AND MARBLE INC., a )          California corporation; TURNER )          CONSTRUCTION COMPANY, a New York )          corporation; FEDERAL INSURANCE )          COMPANY, a New Jersey corporation; FIDELITY )</p>	<p>) CASE NO. CV 10-5160 MEJ          )          )          )          ) PLAINTIFFS' REQUEST FOR          ) DISMISSAL OF DEFENDANTS          ) FEDERAL INSURANCE COMPANY,          ) FIDELITY AND DEPOSIT COMPANY          ) OF MARYLAND, ZURICH AMERICAN          ) INSURANCE COMPANY, THE          ) INSURANCE COMPANY OF THE          ) STATE OF PENNSYLVANIA, TURNER          ) CONSTRUCTION COMPANY, STATE          ) OF CALIFORNIA, ADMINISTRATIVE          ) OFFICE OF THE COURTS, and KAISER          ) FOUNDATION HOSPITALS</p>
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1 AND DEPOSIT COMPANY OF MARYLAND, a )  
Maryland corporation; INTERNATIONAL )  
2 FIDELITY INSURANCE COMPANY, a New )  
Jersey corporation; ZURICH AMERICAN )  
3 INSURANCE COMPANY, a New York )  
corporation; the STATE OF CALIFORNIA, )  
4 ADMINISTRATIVE OFFICE OF THE COURTS, )  
a government agency; KAISER FOUNDATION )  
5 HOSPITALS, a California corporation; )  
AMERICAN CONTRACTORS INDEMNITY )  
6 COMPANY, a California corporation; )  
TRAVELERS CASUALTY AND SURETY )  
7 COMPANY OF AMERICA, a Connecticut )  
corporation; INSURANCE COMPANY OF THE )  
8 STATE OF PENNSYLVANIA, a Pennsylvania )  
corporation, )

9 Defendants. )  
10 )  
11 )  
12 )

13 Plaintiffs, by and through their attorneys of record, Katzenbach and Khtikian, hereby  
14 request the dismissal, without prejudice, of defendants Federal Insurance Company, Fidelity and  
15 Deposit Company of Maryland, Zurich American Insurance Company, The Insurance Company  
16 of the State of Pennsylvania, the State of California, Administrative Office of the Courts, and  
17 Kaiser Foundation Hospitals, only, from this action. All claims against all other defendants shall  
18 remain.

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20 Respectfully submitted,

21 Katzenbach & Khtikian

22 Dated: December 14, 2010

23 By: /s/ Conor Mack  
Conor D. Mack  
Attorneys for Plaintiffs  
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