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9 **IN THE UNITED STATES DISTRICT COURT**  
 10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 DAVID DELDEBBIO,  
 12  
 13 Plaintiff,  
 14  
 15 vs.

Case No. 11-01866SI

**[PROPOSED] ORDER RE  
 REQUEST FOR DISMISSAL OF  
 FOURTH AND FIFTH CLAIMS  
 FOR RELIEF**

16 WALGREENS COMPANY; WALGREENS  
 17 FAMILY OF COMPANIES INCOME  
 18 PROTECTION PLAN; SEDGWICK  
 19 CLAIMS MANAGEMENT SERVICES,  
 20 INC.; and DOES 1 through 20,  
 21  
 22 Defendants.

23 WHEREAS Plaintiff DAVID DELDEBBIO (“Plaintiff”) hereby requests the Court  
 24 dismiss the Fourth Claim for Relief (Breach of Contract Under Laws of the State of California)  
 25 and Fifth Claim for Relief (Bad Faith Under Laws of the State of California) without prejudice  
 26 against DEFENDANTS WALGREENS COMPANY; WALGREENS FAMILY OF  
 27 COMPANIES INCOME PROTECTION PLAN; SEDGWICK CLAIMS MANAGEMENT  
 28 SERVICES, INC.; and DOES 1 through 20 (collectively “Defendants”), in the above-referenced  
 matter, with each party to bear his/its own fees and costs and attorneys’ fees incurred in the  
 litigation of those claims,

IT IS HEREBY ORDERED:

- (a) Plaintiff’s Fourth Claim for Relief is dismissed against Defendants without prejudice;
  - (b) Plaintiff’s Fifth Claim for Relief is dismissed against Defendants without prejudice;
- and

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(c) Each party shall bear his/its own fees and costs and attorneys' fees incurred in the litigation of the Fourth and Fifth Claims for Relief.

**IT IS SO ORDERED.**

DATED: 3/14/12



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Hon. Susan Illston  
United States District Judge