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10 Attorneys for plaintiff and counterdefendant  
 11 TOWER INSURANCE COMPANY OF NEW YORK  
 12 dba TOWER SELECT INSURANCE COMPANY.

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO/OAKLAND DIVISION

16 TOWER INSURANCE COMPANY OF  
 17 NEW YORK, *a New York corporation*  
 18 dba TOWER SELECT INSURANCE  
 19 COMPANY,

20 Plaintiff,

21 v.

22 CAPURRO ENTERPRISES, INC., *a*  
 23 *California corporation*; NICHOLAS L.  
 24 CAPURRO, JR., *an individual*; and  
 25 CERTA PROPAINTERS, LTD., *a*  
 26 *Massachusetts corporation*,

27 Defendants.

28 AND RELATED COUNTERCLAIMS.

No. 3:11-CV-03806-SI

STIPULATION TO DISMISSAL  
 OF COMPLAINT AND  
 COUNTERCLAIM, WITH  
 PREJUDICE

Plaintiff and counterdefendant Tower Insurance Company of New York, Inc., and counterclaimants and defendants Capurro Enterprises, Inc. and Nicholas L. Capurro, Jr., hereby stipulate to dismissal with prejudice of both the complaint and the counterclaim in

1 this matter, with each party to bear its own costs and attorneys fees in the matter. This  
2 stipulation is by all parties and disposes of the matter in its entirety.

3  
4 Respectfully submitted,

5 NIELSEN, HALEY & ABBOTT LLP

6  
7 Dated: December 13, 2012

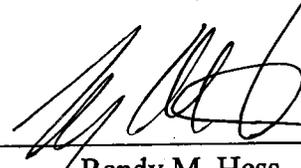
By: 

8 Stephen W. Cusick

9 Attorneys for plaintiff and counterdefendant  
10 TOWER INSURANCE COMPANY OF NEW YORK  
11 dba TOWER SELECT INSURANCE COMPANY,  
12 and counterdefendant TOWER GROUP, INC.

13 ADLESON, HESS & KELLY, APC

14  
15 Dated: December 13, 2012

By: 

17 Randy M. Hess

18 Attorneys for Defendants and Counter-  
19 Claimants  
20 CAPURRO ENTERPRISES, INC., and NICHOLAS  
21 L. CAPURRO, JR.

