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 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

6 Attorneys for Plaintiff/Counter-defendant
 7 **NATIONWIDE MUTUAL INSURANCE COMPANY**

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12 Attorneys for Defendants/Counter-claimants
 13 **DONALD V. RYAN and BARBARA RYAN**

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

17 **NATIONWIDE MUTUAL INSURANCE COMPANY,**
 18 Plaintiff,
 19
 20 v.
 21 **DONALD V. RYAN, an individual, and DOES 1 through 10,**
 22 Defendants.
 23
 24 **AND RELATED COUNTER-CLAIM**

Case No. 3:12-CV-5000-JST
STIPULATION and ~~PROPOSED~~ ORDER re: WAIVER OF COSTS AND WAIVER OF RIGHT TO APPEAL

25
 26 Plaintiff/Counter-defendant **NATIONWIDE MUTUAL INSURANCE COMPANY**
 27 (hereinafter "Nationwide") and Defendants/Cross-claimants **DONALD V. RYAN** and
 28 **BARBARA RYAN** ("the Ryans"), and collectively referred to hereinafter as "the Parties," by and

LEWIS BRISBOIS BISGAARD & SMITH LLP
 ATTORNEYS AT LAW

1 through their respective counsel, hereby stipulate as follows:

2 **RECITALS**

3 1. On October 22, 2014, the Court entered judgment in favor of Nationwide and
4 against the Ryans.

5 2. On October 23, 2014, Nationwide filed with the Court its bill of costs in the amount
6 of \$15,477.73.

7 3. The Parties acknowledge that the Ryans have the right to file a notice of appeal of
8 the Court's judgment.

9 NOW, THEREFORE, the Parties, by and through their respective counsel of record, do
10 hereby stipulate as follows as request that the Court issue an order in accordance therewith:

11 **STIPULATION**

12 1. Nationwide waives its right to recover costs.

13 2. The Ryans waive their right to appeal the Court's judgment.

14 Respectfully submitted,

15 Dated: November 12, 2013

LEWIS BRISBOIS BISGAARD & SMITH LLP

17 By /s/ Julian J. Pardini
18 Julian J. Pardini
19 Stephen J. Liberatore
Attorneys for Plaintiff/Counter-defendant
Nationwide Mutual Insurance Company

20 Dated: November 12, 2014

WILSON, ELSER, MOSKOWITZ, EDELMAN &
21 DICKER LLP

22 By /s/ John T. Burnite
23 John T. Burnite
24 Attorneys for Plaintiff/Counter-defendant
Nationwide Mutual Insurance Company

25 Dated: November 12, 2014

LAW OFFICES OF JOHN C. McCASLIN

26 By /s/ John C. McCaslin
27 John C. McCaslin
28 Attorneys for Defendants/Counter-claimants
Donald V. Ryan and Barbara Ryan

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Dated: November 12, 2014

By /s/ Marcus Daniel Merchasin
Marcus Daniel Merchasin
Attorneys for Defendants/Counter-claimants
Donald V. Ryan and Barbara Ryan

ORDER

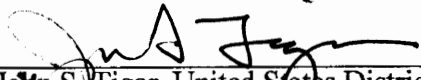
Based on the foregoing stipulation of the Parties and finding good cause therefor,

THE COURT HEREBY ORDERS AND DECREES that:

- Nationwide has waived its right to recover costs;
- The Ryans have waived their right to appeal the judgment of the Court; and
- This Court's judgment is considered final upon the execution of this Order.

IT IS SO ORDERED.

DATED: 11/19/14



John S. Tigar, United States District Judge
United States District Court
Northern District of California