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 9 William Hammack

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 LORETTA HAMMACK, as Guardian ad Litem on)
 13 Behalf of WILLIAM HAMMACK,)
 14 Plaintiff,)
 15 vs.)
 16 CONTINENTAL CASUALTY COMPANY,)
 17 Defendants.)

Case No. 3:12-cv-05464-EMC

STIPULATION OF DISMISSAL WITH PREJUDICE ; ORDER

18 AND RELATED COUNTERCLAIM

19 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), this Stipulation of Dismissal With Prejudice is
 20 entered into by and between Plaintiff and Counterclaim Defendant Loretta Hammack, as guardian ad litem on behalf
 21 of William Hammack, and defendant and Counterclaim Plaintiff Continental Casualty Company.

22 WHEREAS, on October 23, 2012 Plaintiff Loretta Hammack, as guardian ad litem on behalf of William
 23 Hammack, filed the Complaint initiating this action and asserting various claims against Defendant Continental
 24 Casualty Company, including: 1) breach of the covenant of good faith and fair dealing; and 2) breach of contract.

25 WHEREAS, on November 26, 2012 Defendant and Counterclaim Plaintiff Continental Casualty
 26 Company filed an Answer and Counterclaim asserting a claim for declaratory judgment against Counterclaim
 27 Defendant Loretta Hammack, as guardian ad litem on behalf of William Hammack.

1 NOW THEREFORE, the parties respectfully request that all claims in the Complaint and Answer With
2 Counterclaim for Declaratory Judgment between Loretta Hammack, as guardian ad litem on behalf of William
3 Hammack, and Continental Casualty Company be DISMISSED WITH PREJUDICE. Each party to bear its own
4 costs and attorneys' fees.

5 IT IS SO STIPULATED AND AGREED.

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9 Dated: June 21, 2013

THE GREY LAW FIRM PC

10
11 By: /s/ Rebecca Grey

12 Rebecca Grey
13 Attorney for Plaintiff
LORETTA HAMMACK, as Guardian ad litem on behalf
of William Hammack

14 Dated: June 21, 2013

EDWARDS WILDMAN PALMER LLP

15
16 By: /s/ Brent R. Austin

17 Brent R. Austin
18 Attorney for Defendant
CONTINENTAL CASUALTY COMPANY

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21 IT IS SO ORDERED

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24 EDWARD M. CHEN
U.S. DISTRICT JUDGE

