

1 **JOHN R. CAMPO, ESQ., SBN 157137**
 2 **BRANSON, BRINKOP, GRIFFITH & STRONG, LLP**
 3 643 Bair Island Road, Suite 400
 4 Redwood City, CA 94063
 Telephone: (650) 365-7710
 Facsimile: (650) 365-7981
 E-Mail: jcampo@bbgslaw.com; dmcdonough@bbgslaw.com

5 Attorney for Defendant **PROBUILDERS**
 6 **SPECIALTY INSURANCE COMPANY, RRG**

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO

10 ST. PAUL MERCURY INSURANCE
 11 COMPANY, a Minnesota corporation,

12 Plaintiff,

13 vs.

14 AMERICAN SAFETY INDEMNITY
 15 COMPANY, an Oklahoma corporation; ARCH
 16 SPECIALTY INSURANCE COMPANY, a
 17 Nebraska corporation; ASPEN SPECIALTY
 18 INSURANCE COMPANY, a North Dakota
 19 corporation; FIRST SPECIALTY INSURANCE
 20 CORPORATION, a Missouri corporation;
 21 GOLDEN BEAR INSURANCE COMPANY, a
 22 California corporation; HARTFORD
 23 CASUALTY INSURANCE COMPANY, a
 24 New Jersey corporation; LANDMARK
 25 AMERICAN INSURANCE COMPANY, an
 26 Oklahoma corporation; LEXINGTON
 27 INSURANCE COMPANY, a Delaware
 28 corporation; LIBERTY MUTUAL
 INSURANCE COMPANY, a Massachusetts
 corporation; MARYLAND CASUALTY
 COMPANY, a Maryland corporation; MT.
 HAWLEY INSURANCE COMPANY, an
 Illinois corporation; NATIONAL UNION
 FIRE INSURANCE COMPANY OF
 PITTSBURGH, PA., a Pennsylvania
 corporation; NAUTILUS INSURANCE
 COMPANY, an Arizona corporation;
 NOTHERN INSURANCE COMPANY OF
 NEW YORK, a New York corporation;
 PROBUILDERS SPECIALTY INSURANCE
 COMPANY, RRG, A RISK RETENTION

Case No: 3:13-CV-01082-EMC
 [Hon. Edward M. Chen]

**STIPULATION TO VOLUNTARILY
 DISMISS PROBUILDERS AND CLAIMS
 AGAINST ARCH ARISING OUT OF
 POLICY NO. 39DCGL000955;
 [PROPOSED] ORDER**

BRANSON BRINKOP GRIFFITH & STRONG LLP
 643 BAIR ISLAND ROAD, SUITE 400
 REDWOOD CITY, CALIFORNIA 94063
 TELEPHONE (650) 365-7710

1 GROUP, a District of Columbia corporation;
2 SCOTTSDALE INSURANCE COMPANY, an
3 Ohio corporation; UNITED NATIONAL
4 INSURANCE COMPANY, a Pennsylvania
5 corporation; ZURICH AMERICAN
6 INSURANCE COMPANY, a New York
7 corporation; and DOES 1-1000, inclusive,

8 Defendants.

9 WHEREAS, Plaintiff St. Paul Mercury Insurance Company ("St. Paul") wishes to
10 dismiss, without prejudice, defendant ProBuilders Specialty Insurance Company, RRG
11 ("ProBuilders").

12 WHEREAS, Plaintiff St. Paul wishes to dismiss, without prejudice, claims asserted
13 against defendant Arch Specialty Insurance Company ("Arch") arising out of Policy No.
14 39DCGL000955, which was issued to CLY, Inc. and effective August 21, 2003 through August
15 21, 2004, such that paragraphs 26 and 50 of St. Paul's First Amended Complaint are withdrawn.

16 IT IS HEREBY STIPULATED by and between St. Paul and ProBuilders, through their
17 designated counsel, that defendants ProBuilders is hereby dismissed without prejudice pursuant
18 to FRCP 41(a)(2). St. Paul and ProBuilders further agree to waive any claim for costs they
19 might have associated with the present action, each party shall bear its own attorneys' fees and
20 costs.

21 IT IS HEREBY STIPULATED by and between St. Paul and Arch, through their
22 designated counsel, that the claims asserted against Arch arising out of Policy No.
23 39DCGL000955 are voluntarily dismissed without prejudice pursuant to Federal Rules of Civil
24 Procedure 41(a)(2), such that paragraphs 26 and 50 of St. Paul's First Amended Complaint are
25 withdrawn. St. Paul and Arch further agree to waive any claim for costs they might have
26 associated with the defense or prosecution of claims arising out of Policy No. 39DCGL000955 in
27 this action.

1 Date: April 11, 2014 BRANSON, BRINKOP, GRIFFITH & STRONG LLP
2
3 By: /s/ John R. Campo
4 JOHN R. CAMPO
5 Attorney for Defendant
6 PROBUILDERS SPECIALTY INSURANCE
7 COMPANY, RRG (fka BUILDERS &
8 CONTRACTORS INSURANCE COMPANY, RRG)

9 Date: April 11, 2014 THE AGUILERA LAW GROUP, APLC
10
11 By: /s/ Kimberly A. Arnal
12 A. ERIC AGUILERA
13 KIMBERLY A. ARNAL
14 Attorneys for Defendant
15 ST. PAUL MERCURY INSURANCE COMPANY

16 Date: April 11, 2014 FOLEY & LARDNER, LLP
17
18 By: /s/ Nicholas P. Honkamp
19 EILEEN R. RIDLEY
20 NICHOLAS P. HONKAMP
21 Attorneys for Defendant
22 ARCH SPECIALTY INSURANCE COMPANY

SIGNATURE CERTIFICATION

23 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and
24 Procedures Manual, I hereby certify that the contents of this document is acceptable to all
25 counsel for the parties listed in the signature blocks above, and that I have obtained each of the
26 attorney's authorization to affix their respective electronic signature to this document.
27

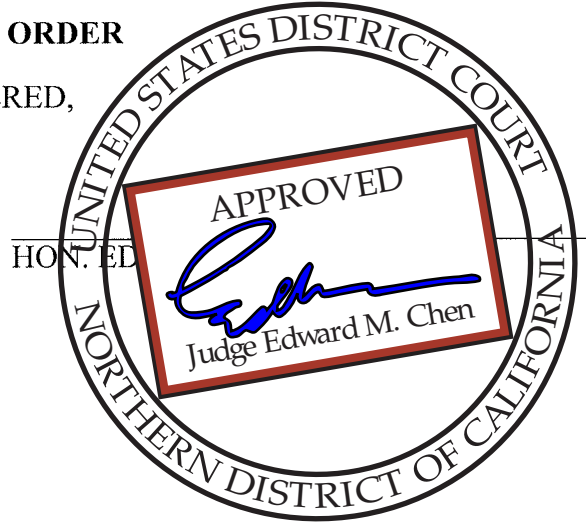
28 Date: April 11, 2014 BRANSON, BRINKOP, GRIFFITH & STRONG LLP
By: /s/ John R. Campo
JOHN R. CAMPO
Attorney for Defendant
PROBUILDERS SPECIALTY INSURANCE
COMPANY, RRG (fka BUILDERS &
CONTRACTORS INSURANCE COMPANY, RRG)

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~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED,

DATED: 4/15/14



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TELEPHONE (650) 365-7710