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DANIEL DIAZ VILLALPANDO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANIEL DIAZ VILLALPANDO,

Plaintiff,

v.

TRANSGUARD INSURANCE COMPANY OF
AMERICA, and EXEL DIRECT INC.,

Defendants.

)
) Case No. 3:13-cv-04028-SC

) **STIPULATION OF DISMISSAL AND**
) **~~PROPOSED~~ ORDER**

Plaintiff Daniel Diaz Villalpando and Defendants Exel Direct, Inc. and Transguard Insurance Company of America, through their respective counsel, hereby submit the following Stipulation of Dismissal and Proposed Order.

WHEREAS on October 30, 2013, Plaintiff Daniel Diaz Villalpando (“Plaintiff”) filed a First Amended Complaint for Damages for Breach of Insurance Contract, Declaratory Relief, Breach of the Covenant of Good Faith and Fair Dealing, Intentional Misrepresentation and Concealment, and

1 Negligent Misrepresentation against Defendants TRANSGUARD INSURANCE COMPANY OF
2 AMERICA (“Transguard”) and EXEL DIRECT, INC (“Exel”);

3 **WHEREAS** Plaintiff, on the one hand, and Defendants Transguard and Exel, on the other hand,
4 settled this matter on or about July 17, 2014;

5 **THEREFORE, IT IS HEREBY STIPULATED**, by and between Plaintiff and Defendants, by
6 and through their respective counsel, that the above-captioned action shall be dismissed with prejudice
7 pursuant to FRCP 41(a)(1)(A)(ii). The parties further stipulate that the parties shall bear their own
8 attorney’s fees, expenses and costs.

9
10 KORNBLUM, COCHRAN, ERICKSON
& HARBISON, LLP

11 DATED: August 25, 2014

By s/ Kaitlyn G. Johnson
Kaitlyn G. Johnson
Attorneys for Plaintiff

14 BULLIVANT HOUSER BAILEY PC

15 DATED: August 25, 2014

By s/ Ronald Richman
Ronald Richman
Attorneys for Defendant EXEL DIRECT INC.

19 ALLEN, GLAESSNER, HAZELWOOD
& WERTH, LLP

20 DATED: August 25, 2014

By s/ Mark Hazelwood
Mark Hazelwood
Attorneys for Defendant TRANSGUARD
INSURANCE CO. OF AMERICA

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ORDER

The Court having reviewed the foregoing Stipulation, and good cause appearing therefor:

IT IS HEREBY ORDERED THAT the action is dismissed with prejudice as against Defendants Exel Direct, Inc. and Transguard Insurance Company of America pursuant to FRCP 41(a)(1)(A)(ii).

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

DATED: 08/26/2014

