

1 Nicholas P. Roxborough, Esq. (SBN 113540)
npr@rpnalaw.com

2 Burton E. Falk, Esq. (SBN 100644)
bef@rpnalaw.com

3 ROXBOROUGH, POMERANCE, NYE & ADREANI, LLP
4 5820 Canoga Ave., Ste. 250
Woodland Hills, CA91367
5 Tel: (818) 992-9999
Fax: (818) 992-9991

6 Attorneys for Defendant and Third-Party Plaintiff
RECOLOGY, INC., f/k/a NORCAL WASTE SYSTEMS, INC.

7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**

10 CONTINENTAL CASUALTY
COMPANY, an Illinois corporation,
11
12 Plaintiff,

13 vs.

14 RECOLOGY, INC., f/k/a NORCAL
WASTE SYSTEMS, INC., a California
15 corporation,
16 Defendant.

17 RECOLOGY, INC., f/k/a NORCAL
18 WASTE SYSTEMS, INC., a California
corporation,
19
20 Third-Party Plaintiff,

21 vs.

22 FLEMING & ASSOCIATES, a business
entity of unknown form, a/k/a ED
23 FLEMING COMPANY, a California
corporation; SPECIALTY RISK
24 SERVICES, LLC, a Delaware
limited liability company; JT2
25 INTEGRATED RESOURCES, a
California corporation; and
DOES 1 through 50, inclusive.
26
27 Third-Party Defendants.

CASE NO. 3:15-cv-03969-SI

Complaint filed on August 31, 2015

**JOINT REQUEST FOR
DISMISSAL WITH PREJUDICE
OF ENTIRE ACTION;
~~PROPOSED~~ ORDER**

1 JT2 INTEGRATED RESOURCES, a
California corporation,

2 Counter-Claimant,

3 vs.

4 RECOLOGY, INC., f/k/a NORCAL
5 WASTE SYSTEMS, INC., a California
corporation; FLEMING & ASSOCIATES,
6 a business entity of unknown form, a/k/a
ED FLEMING COMPANY, a California
7 corporation; SPECIALTY RISK
SERVICES, LLC, a Delaware limited
liability company,

8 Counter-Defendants.
9

10 ED FLEMING COMPANY, a California
corporation,

11 Counter-Claimant,

12 vs.

13 RECOLOGY, INC., f/k/a NORCAL
14 WASTE SYSTEMS, INC., a California
corporation; SPECIALTY RISK
15 SERVICES, LLC, a Delaware limited
liability company; JT2 INTEGRATED
16 RESOURCES, a California corporation,

17 Counter-Defendants.
18

19 WHEREAS, on August 31, 2015, plaintiff Continental Casualty Company filed
20 its Complaint against Recology, Inc. fka Norcal Waste Systems, Inc. (“Recology”)
21 (Docket #1), and its First Amended Complaint on November 9, 2015 (Docket #25).

22 WHEREAS, on November 30, 2015, defendant Recology filed its Third-Party
23 Complaint against Fleming & Associates a/k/a Ed Fleming Company (“Fleming”),
24 Specialty Risk Services, LLC (“SRS”), and JT2 Integrated Resources (“JT2”) (Docket
25 #31).

26 WHEREAS, on December 18, 2015, third-party defendant JT2 filed its
27 Counter-Claim against Recology, Fleming, and SRS (Docket #42-1).

28 WHEREAS, on January 15, 2016, third-party defendant Fleming filed its

1 Counter-Claim and Cross-Claim against Recology, SRS, and JT2 (Docket #58-1).

2 NOW THEREFORE, all parties hereby agree to dismiss with prejudice each of
3 their respective First Amended Complaint, Third-Party Complaint, Counter-Claims
4 and/or Cross-Claims, and thereby dismiss the entire action. All parties to bear their
5 own respective attorneys' fees and costs.

6
7 Dated: July 25, 2016

CARROLL, BURDICK & McDONOUGH LLP

8
9 By /s/ Geoffrey David Godwin

10 G. David Godwin
11 Attorneys for
12 CONTINENTAL CASUALTY COMPANY

13 Dated: July 25, 2016

ROXBOROUGH, POMERANCE, NYE
& ADREANI, LLP

14
15 By /s/ Burton E. Falk

16 Burton E. Falk
17 Attorneys for
18 RECOLOGY, INC. f/k/a NORCAL WASTE
SYSTEMS, INC.

19 Dated: July 25, 2016

KRAFCHAK AND LINCH

20
21 By /s/ Kenderton Smith Lynch

22 Kenderton Smith Lynch
23 Attorneys for
24 FLEMING & ASSOCIATES a/k/a ED
25 FLEMING COMPANY

26 ///

27
28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: July 25, 2016

MELINDA GUZMAN PROFESSIONAL
CORPORATION

By /s/ Melinda Moore

Melinda Moore
Attorneys for
JT2 INTEGRATED SERVICES

Dated: July 25, 2016

SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP

By /s/ Justine Mary Casey

Justine Mary Casey
Attorneys for
SPECIALTY RISK SERVICES, LLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~[PROPOSED]~~ ORDER

Pursuant to the Stipulation of the parties, the above-entitled case is hereby dismissed in its entirety with prejudice. All parties will bear their own respective attorneys' fees and costs.

IT IS SO ORDERED.

DATED: 7/26/16



The Honorable Susan Illston
United States District Judge