1 2 3 4	ANDREW D. HEROLD, ESQ., Bar No. 178640 <u>aherold@heroldsagerlaw.com</u> HILARY R. KUCHINSKY, ESQ., Bar No. 258745 <u>hkuchinsky@heroldsagerlaw.com</u> KATHRYN E. SMITH, ESQ. Bar No. 327919 <u>ksmith@heroldsagerlaw.com</u> HEROLD & SAGER 550 Second Street, Suite 200 Encinitas, CA 92024		
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6 7	(760) 487-1047 / (760) 487-1064 FAX		
8	Attorneys for Plaintiff LEXINGTON INSURANCE COMPANY		
9			
10	UNITED STATES DISTRICT COURT		
11	NORTHERN DISTRICT OF CALIFORNIA		
12 13	LEXINGTON INSURANCE COMPANY, a Delaware corporation,	Case No. 3:22-cv-04479-RFL (DMR)	
14	Plaintiff,	Assigned to Hon. Rita F. Lin	
15	v.	STIPULATION OF DISMISSAL OF COMPLAINT	
16 17	AMERICAN GUARANTEE AND LIABILITY INSURANCE COMPANY, a New York corporation; ZURICH AMERICAN INSURANCE COMPANY, a	Action Filed: August 2, 2022	
18 19	New York corporation; and DOES 1-100, inclusive.		
20	Defendants.		
21		1	
22	In accordance with Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiff Lexington		
23	Insurance Company ("Lexington") and Defendants American Guarantee and Liability Insurance		
24	Company ("American Guarantee") and Zurich American Insurance Company ("Zurich American")		
25	(collectively, the "Zurich") (Lexington and Zurich are collectively referred to as the "Parties")		
26 27	hereby stipulate and agree as follows:		
28	///		
		1	
	STIPULATION OF DISMISSAL OF COMPLAINT	CASE NO.: 3:22-cv-04479-RFL (DMR) Dockets.Justia.cor	

1	1. Lexington's Complaint for Declaratory Relief, Equitable Subrogation, and Equitable		
2	Indemnity (Dkt. No. 1) is dismissed with prejudice.		
3	2. Each of the stipulating parties will bear its own attorneys' fees and costs to date.		
4	The person filing this document hereby attests that all signatories indicated with an "/s/,", and on		
5	whose behalf this filing is submitted, concur in the document's content and have authorized this		
6 7	filing.		
8	IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.		
9	DATED: August 28, 2024 HEROLD & SAGER		
10			
11	By: /s/Hilary R. Kuchinsky		
12	ANDREW D. HEROLD, ESQ. HILARY R. KUCHINSKY, ESQ.		
13	KATHRYN E. SMITH, ESQ. Attorneys for Plaintiff LEXINGTON		
14	INSURANCE COMPANY		
15	DATED: August 28, 2024 DUANE MORRIS		
16 17			
17 18	By: /s/Timothy J. Witczak		
10	RICHARD D. HOFFMAN, ESQ. TIMOTHY J. WITCZAK, ESQ.		
20	Attorneys for Defendants AMERICAN GUARANTEE AND LIABILITY INSURANCE		
21	COMPANY and ZURICH AMERICAN INSURANCE COMPANY		
22			
23	PURSUANT TO STIPULATION, IT IS SO ORDERED.		
24	\mathcal{A}		
25	DATED: August 28, 2024 The Honorable Rita F. Lin		
26	UNITED STATES DISTRICT JUDGE		
27 28			
40			
	2 STIPULATION OF DISMISSAL OF COMPLAINT CASE NO.: 3:22-cv-04479-RFL (DMR)		