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 6 Attorneys for Defendant/Counterclaimant/Cross-Complainant,
 Arrowood Indemnity Company (f/k/a/ Royal Indemnity Company
 7 as successor-in-interest to Royal Insurance Company of America)

8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION**

11 AIU INSURANCE COMPANY, a New York
 corporation,
 12
 13 **Plaintiff**

14 v.

15 ACCEPTANCE INSURANCE COMPANY, a
 Delaware corporation, TIG SPECIALTY
 16 INSURANCE COMPANY, a California
 17 corporation, ARROWOOD INDEMNITY
 COMPANY (f/k/a ROYAL INDEMNITY
 18 COMPANY AS SUCCESSOR-IN-INTEREST
 TO ROYAL INSURANCE COMPANY OF
 19 AMERICA) a Delaware corporation,
 20 AMERICAN SAFETY RISK RETENTION
 GROUP, INC., a Vermont corporation,
 21 AMERICAN SAFETY INDEMNITY
 COMPANY, a Oklahoma corporation, and
 22 DOES 1 through 10, inclusive,
 23 **Defendants.**

Case No.: C 07 5491 PJH

Assigned for All Purposes to:
 Judge Phyllis J. Hamilton
 Courtroom 3, 3rd Floor

**[PROPOSED] AMENDED ORDER RE
 DISMISSAL, WITHOUT PREJUDICE, OF
 AMERICAN SAFETY RISK RETENTION
 GROUP, INC. AND AMERICAN SAFETY
 INDEMNITY COMPANY FROM
 ARROWOOD INDEMNITY COMPANY'S
 CROSS-CLAIMS**

[F.R.C.P. Rules 41(a) and 60(b)]

[Filed concurrently with Amended
 Stipulation of Dismissal, without Prejudice]

Complaint Filed: October 29, 2007
 Trial Date: None Set

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1 **[PROPOSED] AMENDED ORDER**

2 Having fully considered the Amended Stipulation of Dismissal, without Prejudice,
3 between Defendants/Cross-Defendants American Safety Risk Retention Group, Inc. and
4 American Safety Indemnity Company ("American Safety") and
5 Defendant/Counterclaimant/Cross-Complainant Arrowood Indemnity Company (f/k/a/ Royal
6 Indemnity Company as successor-in-interest to Royal Insurance Company of America)
7 ("Arrowood"), and pursuant to Rules 41(a) and 60(b) of the Federal Rules of Civil Procedure, IT
8 IS HEREBY ORDERED that:

9 1. The Stipulation, filed as Docket No. 161, dismissing, with prejudice, Arrowood's
10 cross-claims in the above-captioned matter against American Safety is VACATED.

11 2. The [Proposed] Order, filed as Docket No. 161-1, dismissing, with prejudice,
12 Arrowood's cross-claims, against American Safety in the above-captioned action is VACATED.

13 3. The Order, filed as Docket No. 162, dismissing, with prejudice, Arrowood's
14 cross-claims in the above-captioned matter against American Safety is VACATED.

15 4. The Stipulation, filed as Docket No. 147, dismissing, with prejudice, Arrowood's
16 cross-claims in the above-captioned matter against American Safety remains VACATED.

17 5. The Order, filed as Docket No. 148, dismissing, with prejudice, Arrowood's
18 cross-claims in the above-captioned matter against American Safety remains VACATED.

19 6. Pursuant to Docket No. 156, Arrowood's cross-claims against American Safety
20 remain dismissed in the above-captioned action, without prejudice, without American Safety and
21 Arrowood waiving costs, and without American Safety waiving as to Arrowood any past, present
22 or future liability or obligations, including all claims for equitable relief, under the commercial
23 general liability policies Arrowood issued to Rylock Company, Ltd., which policies include, but
24 are not limited to: (1) policy no. PTY441053 effective March 1, 1996 to March 1, 1997; (2)
25 policy no. PTS443208 effective March 1, 1997 to March 1, 1998; (3) policy no. PTR457882
26 effective March 1, 1998 to March 1, 1999; and (4) policy no. PTR-457882009 effective March 1,
27 1999 to March 1, 2000.

1 7. The Stipulation dismissing, without prejudice, Arrowood's cross-claims in the
2 above-captioned matter against American Safety [Docket No. 154], as well as the Proposed
3 Order, dismissing without prejudice, Arrowood's cross-claims in the above-captioned matter
4 against American Safety [Docket No. 154-1], remain the operative Stipulation of Dismissal,
5 without prejudice, and [Proposed] Order of Dismissal, without prejudice, between Arrowood and
6 American Safety.

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8 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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10 DATED: February 28 _____, 2011

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15 OC#31869

