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 7  
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 signature blocks below)

9 UNITED STATES DISTRICT COURT FOR THE  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 San Francisco Division

13 SILGAN CONTAINERS CORPORATION,  
 14 Plaintiff,  
 15 vs.  
 16 NATIONAL UNION FIRE INSURANCE  
 COMPANY OF PITTSBURGH, PA., and  
 17 ZURICH AMERICAN INSURANCE  
 COMPANY,  
 18 Defendants.  
 19

Civil Action No. C 08-02246 PJH  
 Stipulation and [~~proposed~~] Order of Dismissal  
 of defendant  
 Zurich American Insurance Company  
 Fed. R. Civ. P. 41(a)(2)

20 Plaintiff Silgan Containers Corporation (“Silgan”) and defendant Zurich American  
 21 Insurance Company (“Zurich”) hereby stipulate that Silgan’s claims against Zurich in this action  
 22 are hereby dismissed with prejudice and without costs to either side. (Silgan is not dismissing its  
 23 remaining claims against defendant National Union Fire Insurance Company of Pittsburgh, Pa.)

24 December 29, 2008

KIEVE LAW OFFICES, INC.  
 By *LOREN KIEVE*  
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So ordered:

Dated: January 5, 2009

