1 David H. Waters, State Bar No. 078512 Alison F. Greene, State Bar No. 148309 2 **BURNHAM BROWN** A Professional Law Corporation 3 P.O. Box 119 Oakland, California 94604 4 1901 Harrison Street, 11th Floor 5 Oakland, California 94612 Telephone: (510) 444-6800 6 Facsimile: (510) 835-6666 Email: dwaters@burnhambrown.com 7 agreene@burnhambrown.com 8 Attorneys for Defendant NAVIGATORS INSURANCE COMPANY 9 UNITED STATES DISTRICT COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 JOHANNA FORMAN, and KENNETH 12 No. C08-04729 CW SANDERS on behalf of the Bankruptcy Estate of Gary Morris, 13 NOTICE OF DISMISSAL BY PLAINTIFFS AND ORDER 14 Plaintiffs, **DISMISSING ACTION WITH PREJUDICE** 15 **v.**. Complaint Filed: September 9, 2008 NAVIGATORS INSURANCE COMPANY, 16 and DOES 1 to 10, inclusive, 17 Defendants. 18 19 Plaintiffs Johanna Forman and Kenneth Sanders on behalf of the Bankruptcy Estate of 20 Gary Morris hereby request that this action be dismissed with prejudice. Each party to bear its 21 own costs and attorney fees. 22 /// 23 /// 24 /// 25 /// 26 /// 27 /// 28 PLAINTIFFS DISMISSAL OF DEFENDANT No. C08-04729 CW

NAVIGATORS INSURANCE COMPANY

| 1  | It is so stipulated by the parties counsel of record.                                |
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| 2  | DATED: November 8, 2009 PILLSBURY & LEVINSON, LLP                                    |
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| 4  | REBECCA GREY   |
| 5  | Attorneys for Plaintiffs   |
| 6  | Johanna Forman and Kenneth Sanders on Behalf of the Bankruptcy Estate of Gary Morris |
|    |  |
| 7  | DATED: November \$6, 2009 BURNHAM BROWN  |
| 8  | BATED. November <b>9</b> , 2009 BURNHAM BROWN  |
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| 10 |  |
| 11 | DAVID H. WATERS Attorneys for Defendant  |
|    | Attorneys for Defendant NAVIGATORS INSURANCE COMPANY                                 |
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| 13 | ORDER DISMISSING ACTION  |
| 14 |  |
| 15 | IT IS SO ORDERED.  |
| 16 | 10 Cardialvill   |
| 17 | DATED: November  |
|    | HONORABLE CLAUDIA WILKIN   |
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