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10 Attorneys for Petitioner
11 MATSON NAVIGATION COMPANY, INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 OAKLAND DIVISION

15 MATSON NAVIGATION COMPANY,
16 INC.,

17 Petitioner,

18 v.

19 ST. PAUL FIRE & MARINE INSURANCE
20 COMPANY,

21 Respondent.
22

) Case No. CV-11-3571 LB

**STIPULATION FOR DISMISSAL
[FRCP 41(a)(2)]**

23
24 The parties, through undersigned counsel, stipulate as follows:

25 1. The petition for appointment of an umpire filed in this matter has become moot.

26 The parties' arbitrators have selected the Honorable Fern Smith (ret.) as umpire pursuant to the
27 arbitration agreement between the parties, and Judge Smith has accepted the appointment.

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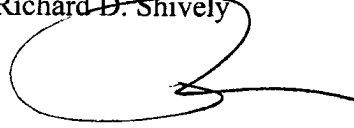
2. The parties therefore respectfully and jointly request that the instant petition,
and this action in its entirety, be dismissed without prejudice.

IT IS SO STIPULATED.

Dated: December 13, 2011

PILLSBURY & LEVINSON, LLP
Philip L. Pillsbury, Jr.

THE LAW OFFICE OF RICHARD D. SHIVELY
Richard D. Shively

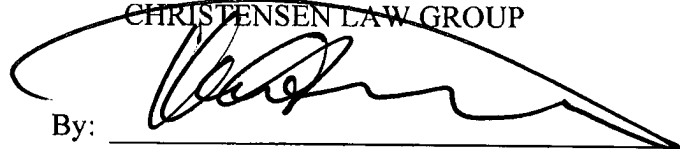


By: _____
Philip L. Pillsbury, Jr.

Attorneys for Petitioner
MATSON NAVIGATION COMPANY, INC.

Dated: December 13, 2011

CHRISTENSEN LAW GROUP



By: _____
Kevin M. (Casey) Christensen

Attorneys for Respondent
ST. PAUL FIRE & MARINE INSURANCE
COMPANY

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~~(PROPOSED)~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 15, 2011



Hon. Laurel Beeler
United States Magistrate Judge
Northern District of California

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