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DISCOVERY MATTER

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10 SIMPLEXGRINNELL LP

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15 Attorney for Plaintiff
16 PHILADELPHIA INDEMNITY INS. CO.

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **OAKLAND DIVISION**

20 PHILADELPHIA INDEMNITY)
INSURANCE COMPANY and)
21 MID-CENTURY INSURANCE)
COMPANY,)

Case No. CV-12-00567-PJH-NJV

22 Plaintiffs,)

**JOINT STIPULATION REQUESTING
THAT DISCOVERY HEARING BE
VACATED AND [PROPOSED] ORDER**

23 vs.)

Date: October 30, 2012
Time: 10:00 a.m.
Judge: Honorable Nandor J. Vadas
24 Location: TBD)

25 SIMPLEX GRINNELL L.P.;)
DOES 1-20, inclusive,)

26 Defendants.)

Complaint Filed: December 30, 2011

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JOINT STIPULATION TO WITHDRAW SIMPLEXGRINNELL LP'S MOTION TO COMPEL

1 Through this joint stipulation, Plaintiff Philadelphia Indemnity Insurance Company
2 agrees to the withdrawal of Defendant SimplexGrinnell LP's motion to compel, filed on
3 September 14, 2012, Docket No. 38. The parties further agree and request that the hearing
4 set for October 30, 2012 be taken off calendar.

5 Respectfully submitted:

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7 Dated: October 11, 2012

SHOOK, HARDY & BACON L.L.P.

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10 By: /s/ COLIN E. SCHRECK
Colin E. Schreck, Esq.
11 Attorneys for Defendant
SIMPLEXGRINNELL LP

12
13 Dated: October 11, 2012

BAUMAN LOEWE WITT & MAXWELL, PLLC

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16 By: /s/ MARK C. BAUMAN
Mark C. Bauman, Esq.
17 Attorneys for Plaintiff
Philadelphia Indemnity Ins. Co.

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20 Pursuant to Local Rule 5-1(i)(3), the below filer attests that concurrence in the
21 filing of this document has been obtained from the above signatories.

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23 Dated: October 11, 2012

By: /s/ COLIN E. SCHRECK
Colin E. Schreck, Esq.

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[PROPOSED] ORDER

Based on the parties' representation that Court intervention is no longer requested to resolve this dispute, the hearing set for October 30, 2012 in this matter is hereby taken off calendar.

IT IS SO ORDERED:

Dated: October 12, 2012



HONORABLE NANDOR J. VADAS
UNITED STATES MAGISTRATE JUDGE