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8 Counsel for Estate of Robert Renzel, Deceased, by and through his
9 successors in interest, Susan Carter and Ann Renzel Sebastian;
10 Robert E. Renzel Trust, by and through its trustees, Susan Carter
11 and Ann Renzel Sebastian; Susan Carter; Ann Renzel Sebastian;
12 and Bascom Avenue Development LLC

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

16 ESTATE OF ROBERT RENZEL,
17 DECEASED *et al.*,

18 *Plaintiffs,*

19 *v.*

20 ESTATE OF LUPE VENTURA,
21 DECEASED, *et al.*,

22 *Defendants.*

Case No. 4:15-cv-1648-HSG

NOTICE AND REQUEST FOR DISMISSAL
PURSUANT TO FED. R. CIV. PROC. 41(a)(2)
OF RENZEL AND TORRES AND
ORDER

23 AND RELATED COUNTERCLAIMS AND
24 CROSSCLAIM.

25 NOTICE IS HEREBY GIVEN that pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiffs and
26 Counter-Defendants Estate of Robert Renzel, Deceased, by and through his successors in interest,
27 Susan Carter and Ann Renzel Sebastian; Robert E. Renzel Trust, by and through its trustees, Susan
28 Carter and Ann Renzel Sebastian; Susan Carter; Ann Renzel Sebastian; and Bascom Avenue
Development LLC, a California limited liability company (collectively, "Renzel"), and Defendants,
Counter-Claimants, and Cross-Claimants Carmen Torres and Alfredo Torres (collectively,



1 “Torres”) hereby request an order that dismisses all claims between Renzel and Torres in this
2 action.

3 On July 17, 2019, the Court granted Renzel and Torres’ joint application for determination
4 of good faith settlement and establishment of the Bascom Remediation Trust. ECF No. 321. All
5 required settlement payments have been received by Renzel. Pursuant to the terms of the underlying
6 settlement agreement, Renzel and Torres submit this request for dismissal. Renzel and Torres are
7 separately submitting notices of voluntary dismissal or requests for dismissal of all other remaining
8 parties.

9 Accordingly, Renzel and Torres agree to and request an order:

- 10 1. Dismissing each of Renzel’s claims against Torres from its Second Amended
11 Complaint (ECF No. 67), with prejudice;
- 12 2. Dismissing each of Torres’s counterclaims against Renzel from its First Amended
13 Counterclaims (ECF No. 44), with prejudice;
- 14 3. Providing that Renzel and Torres shall bear their own attorneys’ fees and costs.

15 Respectfully submitted,

16 DATED: August 23, 2019

PALADIN LAW GROUP® LLP

17 /s/ *Bret A. Stone*

18 Counsel for Renzel

19 DATED: August 23, 2019

LEWIS BRISBOIS BISGAARD & SMITH LLP

20 /s/ *Glenn A. Friedman*

21 Counsel for Counter Defendants Ann Renzel
22 Sebastian, Susan Carter and the Estate of Robert
23 Renzel

24 DATED: August 23, 2019

CAUFIELD & JAMES LLP

25 /s/ *Jeffery L. Caufield*

26 Counsel for Alfredo and Carmen Torres
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ORDER

Good cause appearing, the Court orders as follows:

1. Each of Renzel’s claims against Torres from its Second Amended Complaint (ECF No. 67) are hereby dismissed with prejudice;
2. Each of Torres’s counterclaims against Renzel from its First Amended Counterclaims (ECF No. 44) are hereby dismissed with prejudice;
3. Renzel and Torres shall bear their own attorneys’ fees and costs.

Dated: 8/23/2019


United States District Judge

