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8 Attorneys for Plaintiff
 9 RICHARD BATCHELOR

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

| | | |
|--------------------------------------|---|--------------------------------------|
| | |) CASE NO. 4:15-cv-04013-YGR |
| RICHARD BATCHELOR, an individual, |) | |
| Plaintiff, |) | STIPULATION OF DISMISSAL OF |
| v. |) | PLAINTIFF'S COMPLAINT AGAINST |
| |) | DEFENDANT GUARDIAN INSURANCE |
| |) | AND ANNUITY COMPANY, INC. |
| GUARDIAN INSURANCE AND ANNUITY |) | |
| COMPANY, INC. and DOES 1 through 10, |) | |
| inclusive, |) | |
| Defendants. |) | |
| |) | |
| |) | |
| |) | |
| |) | |

12 **IT IS HEREBY STIPULATED** by and between Plaintiff RICHARD BATCHELOR
 13 and Defendant GUARDIAN INSURANCE AND ANNUITY COMPANY, INC. that the
 14 above-entitled action is hereby dismissed **with prejudice** against GUARDIAN INSURANCE
 15 AND ANNUITY COMPANY, INC.

16 This dismissal is made pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii).
 17 Each party shall bear its own attorneys' fees and costs.

1 Dated: May 6, 2016

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/s/ Joel M. Westbrook

MILES & WESTBROOK

By: Joel M. Westbrook

Attorneys for Plaintiff

RICHARD BATCHELOR

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7 Dated: May 6, 2016

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/s/ Jodi K. Swick

EDISON, McDOWELL & HETHERINGTON, LLP

By: Jodi K. Swick

Attorneys for Defendants

GUARDIAN INSURANCE AND ANNUITY

COMPANY, INC.

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PURSUANT TO STIPULATION, IT IS SO ORDERED:

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The Honorable Yvonne Gonzalez Rogers

United States District Court

Northern District of California

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Dated: May 9, 2016