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6 Attorneys for Plaintiff,  
 SENECA INSURANCE COMPANY, INC.  
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9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
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12 SENECA INSURANCE COMPANY,  
 INC.,

13 Plaintiff,

14 vs.

15 CYBERNET ENTERTAINMENT,  
 16 LLC; KINK STUDIOS, LLC;  
 ARMORY STUDIOS, LLC; PETER  
 17 ACWORTH, AN INDIVIDUAL;  
 HOGAN KARL, AN INDIVIDUAL;  
 18 JOSHUA CHATTERLEY, AN  
 INDIVIDUAL; CHRIS CORRIGAN,  
 19 AN INDIVIDUAL; SARA DIERDORF  
 CORRIGAN, AN INDIVIDUAL;  
 20 JOSHUA RODGERS, AN  
 INDIVIDUAL; AND CAMERON  
 21 ADAMS, AN INDIVIDUAL,

22 Defendants.  
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CASE NO. 4:16-CV-06554 YGR

**STIPULATION AND ~~PROPOSED~~  
 ORDER OF DISMISSAL**

Hearing Date: December 14, 2018  
 Time: 9:01 am  
 Courtroom: 1  
 Judge: Hon. Yvonne Gonzalez  
 Rogers  
 Trial Date: None set

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STIPULATION

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2 Plaintiff Seneca Insurance Company, though its counsel, and defendants  
3 Cybernet Entertainment, LLC; Kink Studios, LLC; Armory Studios, LLC; and Peter  
4 Acworth (“Cybernet Defendants”) through their counsel, stipulate as follows:

5 1. This coverage action by Seneca arises out of three underlying actions filed  
6 in the San Francisco Superior Court: *Joshua Rodgers v. Kink Com., etc., et al.*; identified  
7 as case no. CGC-15-547036 (“*Rodgers*”); *Cameron Adams v. Kink, etc., et al.*; identified  
8 as case no. CGC-15-547035 (“*Adams*”); and *John Doe v. Kink Com., etc., et al.*;  
9 identified as case no. CGC-15-545540 (“*Doe*”). All three underlying actions have  
10 settled.

11 2. The parties agree that Seneca’s present action against the Cybernet  
12 Defendants should be dismissed with prejudice, under Fed.R.Civ.P. 41(a)(1)(A)(ii), each  
13 party to bear its own attorneys’ fees and costs.

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1 3. Regarding Cybernet's third-party action against State Compensation  
2 Insurance Fund, this Court earlier issued a final judgment in favor of State Fund under  
3 F.R.Civ. P. Rule 54(b). That judgment has been appealed to the U.S. Court of Appeals  
4 for the Ninth Circuit, has been fully briefed, and currently awaits argument and decision.

5 **IT IS SO STIPULATED.**

6 NIELSEN, HALEY & ABBOTT LLP

7 By: /s/ Christine Young

8 James C. Nielsen  
9 Christine Young  
10 Attorneys for Defendants  
11 CYBERNET ENTERTAINMENT, LLC; KINK  
12 STUDIOS, LLC; ARMORY STUDIOS, LLC; AND  
13 PETER ACWORTH and for Third Party Plaintiff  
14 CYBERNET ENTERTAINMENT, LLC


14 MURCHISON & CUMMING, LLP

15 By: /s/ Bryan M. Weiss

16 Bryan M. Weiss  
17 Attorneys for Plaintiff  
18 SENECA INSURANCE COMPANY, INC.

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20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21 Dated: December 12, 2018

22   
23 Yvonne Gonzalez Rogers  
24 U.S. District Court Judge  
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