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5 Attorney for Plaintiff McKee and Company Electric, Inc.

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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN FRANCISCO DIVISION**
 11

12 MCKEE & COMPANY ELECTRIC, INC.,

Case No.: 24-cv-05819-JST

13 Plaintiff,

**JOINT STIPULATION FOR
 DISMISSAL WITH PREJUDICE;
 14 ~~PROPOSED~~ ORDER THEREON**

14 v.

15 GECMS, INC. dba GIRON
 CONSTRUCTION, a California corporation;
 16 SWINERTON BUILDERS, INC., a California
 corporation; FIDELITY AND DEPOSIT
 17 COMPANY OF MARYLAND; ZURICH
 AMERICAN INSURANCE COMPANY;
 18 LIBERTY MUTUAL INSURANCE
 COMPANY; and DOES 1-50,

19 Defendants.
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 22 Pursuant to Federal Rule Civil Procedure 41(a)(1)(A)(ii), Plaintiff MCKEE &
 23 COMPANY ELECTRIC, INC., and Defendants GECMS, INC. dba GIRON
 24 CONSTRUCTION, SWINERTON BUILDERS, INC., FIDELITY AND DEPOSIT
 25 COMPANY OF MARYLAND, ZURICH AMERICAN INSURANCE COMPANY, and
 26 LIBERTY MUTUAL INSURANCE COMPANY, by and through their respective counsel,
 27 hereby stipulate and agree to **dismiss this action with prejudice** in its entirety, with each
 28 party to bear its own attorney’s fees and costs incurred in this action.

1 Dated: March 4, 2025 LAW OFFICES OF ANDREW DOSA

2 By: /s/ Andrew A. Dosa
Andrew A. Dosa
3 Attorneys for Plaintiff,
4 MCKEE & COMPANY ELECTRIC, INC.

5 Dated: March 4, 2025 LAST, FAORO & WHITEHORN

6 By: /s/ Patrick J. Whitehorn
Patrick J. Whitehorn
7 Attorneys for Defendant,
8 GECMS, INC. dba GIRON CONSTRUCTION

9 Dated: March 4, 2025 VARELA, LEE, METZ & GUARINO, LLP

10 By: /s/ Nicholas A. Merrell
Nicholas A. Merrell
11 Attorneys for Defendant,
12 SWINERTON BUILDERS, INC.

13 Dated: March 4, 2025 WOLKIN • CURRAN, LLP

14 By: /s/ James D. Curran
James D. Curran
15 Attorneys for Defendants,
16 FIDELITY AND DEPOSIT COMPANY OF
17 MARYLAND; ZURICH AMERICAN INSURANCE
18 COMPANY; and LIBERTY MUTUAL INSURANCE
19 COMPANY

20 **ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))**

21 I attest under penalty of perjury under the laws of the United States of America that,
22 in accordance with Local Rule 5-1(i)(3) of the United States District Court, Northern
23 District of California, I obtained the concurrence for the filing of this document from
24 counsel for Defendant GECMS, INC. dba GIRON CONSTRUCTION, Patrick J. Whitehorn;
25 Defendant SWINERTON BUILDERS, INC., Nicholas A. Merrell; and Defendants
26 FIDELITY AND DEPOSIT COMPANY OF MARYLAND, ZURICH AMERICAN
27 INSURANCE COMPANY, and LIBERTY MUTUAL INSURANCE COMPANY, James
28 D. Curran.

Dated: March 4, 2025 LAW OFFICES OF ANDREW DOSA

By: /s/ Andrew A. Dosa
Andrew A. Dosa
Attorneys for Plaintiff,
MCKEE & COMPANY ELECTRIC, INC.

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~~PROPOSED~~ ORDER

In consideration of the Joint Stipulation for Dismissal with prejudice in its entirety signed by counsel for all parties, and good cause appearing, the above-entitled matter is hereby **dismissed with prejudice in its entirety**, with each party to bear its own attorney's fees and costs incurred in this action.

IT IS SO ORDERED.

Dated: March 7, 2025



Honorable Jon S. Tigar