

GIBBS, GIDEN, LOCHER, TURNER & SENET LLP

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Attorneys for Third-Party Defendant  
SQUARE D COMPANY, a Delaware corporation

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

THE UNITED STATES OF AMERICA,  
for the use and benefit of SUMMERS  
GROUP, INC. a Delaware corporation  
doing business as REXEL PACIFIC,

Use-Plaintiff,

v.

MID VALLEY ELECTRIC &  
COMMUNICATIONS, INC., a  
corporation dba CLYDE G. STEAGALL,  
INC.; FIREMAN'S FUND  
INSURANCE COMPANY, a California  
corporation,

Defendants.

**AND RELATED COUNTERCLAIM**

SUMMERS GROUP, INC. a Delaware  
corporation doing business as REXEL  
PACIFIC,

Third-Party Plaintiff,

v.

SQUARE D COMPANY, a corporation,

Third-Party Defendant.

Case No.: C04 05458 RMW/HRL

**STIPULATION FOR DISMISSAL  
OF ENTIRE ACTION AND  
[] ORDER THEREON**

[F.R.C.P. 41]

[Assigned to Judge Ronald M. Whyte]

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TO THE CLERK OF THE COURT:

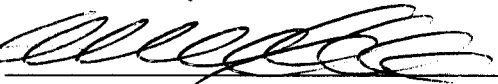
IT IS HEREBY STIPULATED, by and between Use-Plaintiff, Counter-Defendant and Third Party Plaintiff, SUMMERS GROUP, INC. a Delaware corporation doing business as REXEL PACIFIC (“REXEL”), Defendant and Counterclaimant, MID VALLEY ELECTRIC & COMMUNICATIONS, INC., a corporation dba CLYDE G. STEAGALL, INC. (“STEAGALL”), Defendant, FIREMAN’S FUND INSURANCE COMPANY, a California corporation (“FIREMAN’S”), and Third Party Defendant SQUARE D COMPANY, a corporation (“SQUARE D”), the parties to the above-entitled action, by and through their respective counsel of record, pursuant to Federal Rules of Civil Procedure Rule 41, that the above-entitled matter, including the Complaint, the Counter Claims and the Third Party Complaint, be dismissed, in its entirety, with prejudice.

IT IS FURTHER STIPULATED that this Stipulation may be executed in counterparts and that a facsimile copy of any signature shall be binding and may be filed with the Court as an original signature.

**IT IS SO STIPULATED.**

DATED: 11/14/11

WALSH & WALSH, P.C.

By: 

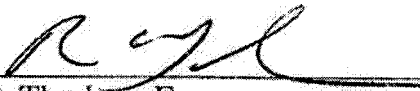
Michael J. Walsh, Esq.  
Attorneys for Use-Plaintiff, Counter-Defendants and Third Party Plaintiff,  
THE UNITED STATES OF AMERICA, for the use and benefit of SUMMERS GROUP, INC. a Delaware corporation doing business as REXEL PACIFIC

GIBBS, GIDEN, LOCHER, TURNER & SENET LLP

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DATED: 11-14-11

THURBON & MCHANEY, LP

By:   
Robert E. Thurbon, Esq.

Attorneys for Defendants and Counter-Claimants,  
MID VALLEY ELECTRIC & COMMUNICATIONS,  
INC., a corporation dba CLYDE G. STEAGALL,  
INC.; FIREMAN'S FUND INSURANCE COMPANY

DATED: 11-14-11

GIBBS, GIDEN, LOCHER, TURNER & SENET LLP

By:   
Michael I. Wayne

Attorneys for Third-Party Defendant  
SQUARE D COMPANY, a Delaware corporation

THE FOREGOING IS SO ORDERED.

Dated: \_\_\_\_\_, 2011

By: \_\_\_\_\_  
Honorable Ronald M. Whyte