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E-FILED - 6/8/11

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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 (San Jose Division)

12 AMERICAN HARDWARE MUTUAL)	Case No.: C07-01545-RMW
INSURANCE COMPANY,)	
13)	
Plaintiff,)	STIPULATION AND XXXXXXXXXXXXX
14)	ORDER RE DISMISSAL WITH
v.)	PREJUDICE
15)	
JUAN ESCAMILLA, individually and)	
16 doing business as WILSON'S TIRE)	
SERVICE, et al.,)	
17)	
Defendants.)	
18)	

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 20 IT IS HEREBY STIPULATED by and between Plaintiff and Counter-defendant
 21 AMERICAN HARDWARE MUTUAL INSURANCE COMPANY ("AMERICAN
 22 HARDWARE") and Defendant and Counter-claimant JUAN ESCAMILLA ("ESCAMILLA"),
 23 through their respective counsel, that the Court enter an order of dismissal with prejudice of the
 24 Complaint in this action and the remaining Counter-Claim of JUAN ESCAMILLA individually
 25 and dba WILSON'S TIRE SERVICE. This Stipulation shall result is a full and complete
 26 dismissal of this matter in its entirety.

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SO STIPULATED.

Dated: May 31, 2011

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Kathleen E. Hegen
Kathleen E. Hegen
Attorneys for Plaintiff and Counter-defendant
AMERICAN HARDWARE MUTUAL INSURANCE
COMPANY



Dated: May 31, 2011,

MEZZETTI LAW FIRM, INC.
By: /s/ Robert L. Mezzetti
Attorneys for Defendant and Counter-claimant
JUAN ESCAMILLA


[XXXXXXXXXX] ORDER

The Court having duly considered the Stipulation, and good cause appearing therefore,
It is hereby ORDERED that:

1. The Complaint in the above-entitled action be dismissed with prejudice;
2. JUAN ESCAMILLA'S Counter Claims in the above-entitled action be dismissed with Prejudice; and
3. This action be dismissed with prejudice in its entirety.

IT IS SO ORDERED.

Dated: 6/8/11


Honorable Ronald M. Whyte
United States District Judge