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 OM Financial Life Insurance Company  
 7 (formerly known as Fidelity and  
 Guaranty Life Insurance Company)

8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

11 OSVALDO MENDOZA, an individual

12 Plaintiffs,

13 vs.

14 FIDELITY AND GUARANTY LIFE  
 INSURANCE COMPANY aka  
 15 FIDELITY & GUARANTY LIFE and  
 F&G LIFE, OM FINANCIAL LIFE  
 16 INSURANCE COMPANY and DOES  
 1 through 100,

17 Defendants.

Case No.: C09 01211 JW

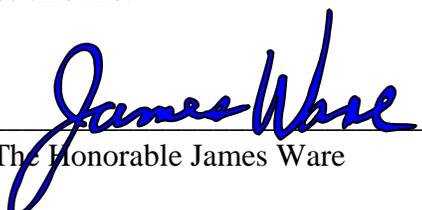
12  **[PROPOSED] ORDER OF DISMISSAL**

Complaint Filed: September 24, 2008

19 IT IS HEREBY ORDERED that, pursuant to the Stipulation of Dismissal by and between  
 20 Plaintiff Osvaldo Mendoza (“Plaintiff”) and Defendant OM Financial Life Insurance Company  
 21 (“OM Financial”) (formerly known as Fidelity and Guaranty Life Insurance Company), Plaintiff’s  
 22 Complaint in the above captioned action is hereby dismissed, in its entirety, with prejudice.

23 **IT IS SO ORDERED.** The Clerk shall close this file.

25 DATED: \_\_\_ July 15, \_\_\_\_\_, 2010

24   
 26 The Honorable James Ware

28 US\_ACTIVE-103917955.1

1 **PROOF OF SERVICE**

2 I am a resident of the State of California, over the age of eighteen years, and not a party to  
3 the within action. I am employed in the office of a member of the bar of this court at whose  
4 direction the service was made. My business address is REED SMITH LLP, 355 S. Grand Avenue,  
5 Suite 2900, Los Angeles, CA 90017.

6  
7 On July 15, 2010, I electronically filed the following document(s) with the Clerk of the Court  
8 using the CM/ECF system, which sent electronic notification of such filing to all other parties  
9 appearing on the docket sheet, as listed below.

10 **[PROPOSED] ORDER OF DISMISSAL**

11  
12 Omar I. Habbas  
13 Edward W. Heffner, Jr.  
14 HABBAS, NASSERI & ASSOCIATES  
15 Civic Center Tower  
16 675 North First Street, Suite 100  
17 San Jose, California 95112  
18 Telephone: (408) 278-0480  
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20 **ATTORNEYS FOR PLAINTIFF**  
21 **Oswaldo Mendoza**

22 I declare under penalty of perjury under the laws of the United States that the above is  
23 true and correct. Executed on July 15, 2010, at Los Angeles, California.

24  
25  
26  
27  
28  
29 /s/ \_\_\_\_\_  
30 Patty Keen