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5 Attorneys for Plaintiffs, ATS PRODUCTS,
 6 INC., dba ATS, INC., and SHEA
 TECHNOLOGY, LLC

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

12 ATS PRODUCTS, INC., dba ATS, INC.,)
 and SHEA TECHNOLOGY, LLC)
 13)
 Plaintiff,)
 14)
 vs.)
 15)
 FM GLOBAL, INC., MARSH, INC., dba)
 16 MARSH & McLENNAN and GLOBAL)
 MARSH;)
 17)
 Defendants.)
 18

Case No.: C09-03175 PVT

**STIPULATION FOR DISMISSAL
 OF COMPLAINT AGAINST MARSH
 & McLENNAN COMPANIES, INC.,
 MARSH & McLENNAN AGENCY,
 LLC, AND MARSH, INC.**

19 It is hereby stipulated by and between the parties hereto, by and through their
 20 respective attorneys, that Plaintiffs ATS PRODUCTS, INC., dba ATS, INC., and SHEA
 21 TECHNOLOGY, LLC ("Plaintiffs") shall dismiss the Second Amended Complaint
 22 against Defendants MARSH & McLENNAN COMPANIES, INC., MARSH &
 23 McLENNAN AGENCY, LLC, AND MARSH, INC. (the "Marsh Defendants") with
 24 prejudice in light of the facts pleaded in the Marsh Defendants' motion to dismiss or, in
 25 the alternative, motion for summary judgment, currently set for hearing on October 18,
 26 2010. This Stipulated Dismissal shall have full preclusive effect in the United States but
 27 shall not preclude Plaintiffs from filing a new lawsuit outside of the United States.

1 However, should Plaintiffs subsequently become aware of facts that would justify
2 jurisdiction in a court in the United States, then Plaintiffs may file a new lawsuit in the
3 United States on that basis. All parties shall bear their respective costs and attorneys fees
4 incurred in this action.

5
6 DATED: _____, 2010

By: _____
JEFF SHEA, On behalf of ATS
PRODUCTS, INC., dba ATS, INC.,
and SHEA TECHNOLOGY, LLC

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9
10 DATED: _____, 2010

By: _____
On behalf of MARSH & MCLENNAN
COMPANIES, INC., MARSH &
MCLENNAN AGENCY, LLC, AND
MARSH, INC.

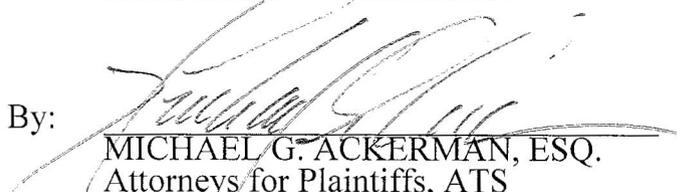
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12
13 DATED: _____, 2010

BINGHAM McCUTCHEN, LLP

14
15
16 By: _____
ROBERT A. LEWIS, ESQ.
Attorneys for Defendants, MARSH &
MCLENNAN COMPANIES, INC.,
MARSH & MCLENNAN AGENCY,
LLC, AND MARSH, INC.

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19
20 DATED: Sept. 3, 2010

LAW OFFICES OF
MICHAEL G. ACKERMAN

21
22
23 By: 
MICHAEL G. ACKERMAN, ESQ.
Attorneys for Plaintiffs, ATS
PRODUCTS, INC., dba ATS, INC., and
SHEA TECHNOLOGY, LLC

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2 jurisdiction in a court in the United States, then Plaintiffs may file a new lawsuit in the
3 United States on that basis. All parties shall bear their respective costs and attorneys fees
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DATED: _____, 2010

By: _____
JEFF SHEA, On behalf of ATS
PRODUCTS, INC., dba ATS, INC.,
and SHEA TECHNOLOGY, LLC

DATED: 9/9, 2010

By:
On behalf of MARSH & MCLENNAN
COMPANIES, INC., MARSH &
MCLENNAN AGENCY, LLC, AND
MARSH, INC.

DATED: 9/9, 2010

BINGHAM McCUTCHEM, LLP

By:
ROBERT A. LEWIS, ESQ.
Attorneys for Defendants, MARSH &
MCLENNAN COMPANIES, INC.,
MARSH & MCLENNAN AGENCY,
LLC, AND MARSH, INC.

DATED: _____, 2010

LAW OFFICES OF
MICHAEL G. ACKERMAN

By: _____
MICHAEL G. ACKERMAN, ESQ.
Attorneys for Plaintiffs, ATS
PRODUCTS, INC., dba ATS, INC., and
SHEA TECHNOLOGY, LLC

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1 However, should Plaintiffs subsequently become aware of facts that would justify
2 jurisdiction in a court in the United States, then Plaintiffs may file a new lawsuit in the
3 United States on that basis. All parties shall bear their respective costs and attorneys fees
4 incurred in this action.

5
6 DATED: Sept. 13, 2010

By:


JEFF SHEA, On behalf of ATS
PRODUCTS, INC., dba ATS, INC.,
and SHEA TECHNOLOGY, LLC

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10 DATED: _____, 2010

By:

On behalf of MARSII & MCLENNAN
COMPANIES, INC., MARSII &
MCLENNAN AGENCY, LLC, AND
MARSH, INC.

11
12
13 DATED: _____, 2010

BINGHAM McCUTCHEM, LLP

14
15 By:

ROBERT A. LEWIS, ESQ.,
Attorneys for Defendants, MARSII &
MCLENNAN COMPANIES, INC.,
MARSH & MCLENNAN AGENCY,
LLC, AND MARSH, INC.

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20 DATED: Sept. 3, 2010

LAW OFFICES OF
MICHAEL G. ACKERMAN

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22 By:


MICHAEL G. ACKERMAN, ESQ.,
Attorneys for Plaintiffs, ATS
PRODUCTS, INC., dba ATS, INC., and
SHEA TECHNOLOGY, LLC

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26 **IT IS SO ORDERED.**

27 The Clerk shall terminate and remaining deadlines and the pending Motion to
28 Dismiss (Docket Item No. 67) . The Clerk shall close this file.

Dated: September 15, 2010


United States District Judge