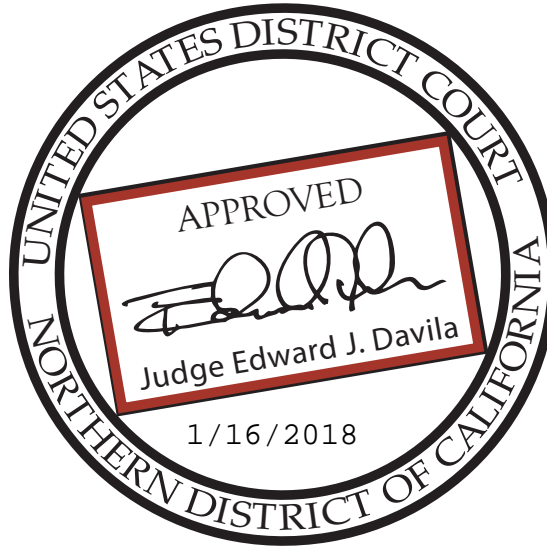


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12 UNITED STATES DISTRICT COURT
 13
 14 NORTHERN DISTRICT OF CALIFORNIA
 15
 16 SAN JOSE DIVISION

17 THOMAS A. DILLON,
 18
 Plaintiff,
 19
 vs.
 20
 CONTINENTAL CASUALTY COMPANY,
 21
 22 Defendant

Case No. 5:10-cv-05238-EJD

**DISMISSAL WITH PREJUDICE
 PURSUANT TO FRCP 41**

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 JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

1 Plaintiff Thomas A. Dillon (“Dillon”), as the Receiver for Vesta Strategies, LLC and
2 Excalibur 1031 Group, LLC and Defendant Continental Causality Company (“Continental”),
3 hereby sign, stipulate and submit that the matter is hereby voluntarily dismissed by the Plaintiff
4 against the Defendant with prejudice pursuant to FRCP 41(a)(1)(A)(ii). All parties to bear their
5 own costs and fees.
6

7
8 Dated: January 9, 2018
9

10 By: _____/s/
11 Robert L. Brace

12 *Attorney for Plaintiff*
13 *Thomas A. Dillon*

14 Dated: January 9, 2018

15 By: _____/s/
16 Eileen Bower
17 Clyde&Co

18 *Attorneys for Defendant*
19 *Continental Casualty Company*
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JOINT STIPULATION OF DISMISSAL WITH PREJUDICE