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8 Attorneys for Plaintiff  
 9 SCHLUMBERGER TECHNOLOGY CORPORATION, INC.  
 10 and Third Party Defendant  
 11 NATIONAL SEMICONDUCTOR (MAINE), INC.

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

14 SCHLUMBERGER TECHNOLOGY  
 CORPORATION, INC., a Texas corporation,

15 Plaintiff,

16 v.

17 EAST CHARLESTON, INC., a California  
 corporation; PACIFIC AMERICAN  
 18 MANAGEMENT COMPANY, a California  
 Limited Liability Corporation,

19 Defendants.

20  
 21 AND RELATED CASES  
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Case No. CV 11-02587 LHK

**STIPULATION AND [PROPOSED]  
 ORDER MUTUALLY DISMISSING  
 STC/NSM AND INTERVENOR  
 TRAVELERS CASUALTY AND  
 SURETY COMPANY CLAIMS  
 AGAINST EACH OTHER WITHOUT  
 PREJUDICE**

STIPULATION AND [PROPOSED] ORDER MUTUALLY DISMISSING STC/NSM AND INTERVENOR TRAVELERS CASUALTY AND  
 SURETY COMPANY CLAIMS AGAINST EACH OTHER WITHOUT PREJUDICE

Case No. CV 11-02587 LHK

**STIPULATION AND ~~[PROPOSED]~~ ORDER MUTUALLY DISMISSING STC/NSM AND  
INTERVENOR TRAVELERS CASUALTY AND SURETY COMPANY CLAIMS  
AGAINST EACH OTHER WITHOUT PREJUDICE**

This Stipulation and [Proposed] Order dismissing claims without prejudice is filed jointly by Plaintiff Schlumberger Technology Corporation (“STC”), and third party defendants National Semiconductor (Maine), Inc. (“NSM”) and Intervenor Travelers Casualty and Surety Company (“Travelers”) f/k/a The Aetna Casualty and Surety Company as alleged Insurer of Suspended Corporation Third-Party Defendant Advalloy, Inc. (collectively, the “Parties”). The Parties, by and through their respective counsel, report to the Court that:

1. The Parties have successfully entered into a confidential settlement agreement effective as of July 2, 2013 that resolves all causes of action asserted by the Parties against each other in this action;
2. The Parties have exchanged electronic copies of the signature pages associated with their settlement agreement as of July 2, 2013; and
3. With resolution of the claims between STC/NSM and Travelers, there are no further pending unresolved claims in this matter and it is appropriate for the Court to vacate the July 15 trial date and pretrial disclosure deadlines.

**IT IS HEREBY STIPULATED AND AGREED** between the Parties, pursuant to the Court's Settlement Status Conference Order of June 25, 2013 (Docket No. 271) (“June 25 Order”) and the Federal Rules of Civil Procedure Rule 41(a)(2) and (c), as follows:

1. STC/NSM and Travelers hereby mutually dismiss all of their respective claims pled in the above captioned case against each other **WITHOUT PREJUDICE**;
2. This Court shall retain jurisdiction over the Parties for the purposes of enforcing the settlement agreement reached by and/or between STC/NSM and Travelers in the above captioned case;
3. The foregoing dismissal is voluntary and shall not operate as an adjudication on the merits under Rule 41 of the Federal Rules of Civil Procedure;
4. The Parties shall bear their own costs, attorneys’ fees and expenses;
5. In light of the resolution of the claims between STC/NSM and Travelers, it is appropriate

1 for the Court to vacate the July 15 trial date and all of the associated pre-trial disclosure  
2 deadlines; and

- 3 6. Consistent with the Court's June 25 Order, the Parties shall file a dismissal with prejudice  
4 on or before August 8, 2013 unless a dispute arises in connection with the executed  
5 settlement agreement, in which case the Parties shall report to the Court as necessary.

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8 Respectfully Submitted,

9 DATED: July 2, 2013

BARG COFFIN LEWIS & TRAPP, LLP

11 By: /s/ J. THOMAS BOER  
J. THOMAS BOER

12 Attorneys for Plaintiff Schlumberger Technology  
13 Corporation, Inc. and Third Party Defendant National  
Semiconductor (Maine), Inc.

14  
15 DATED: July 2, 2013

LEWIS BRISBOIS BISGAARD & SMITH LLP

17 By: /s/ JOSEPH A. SALAZAR JR. (authorized July 2, 2013)  
JOSEPH A. SALAZAR JR.

18 Attorneys for INTERVENOR TRAVELERS  
19 CASUALTY AND SURETY COMPANY fka THE  
20 AETNA CASUALTY AND SURETY COMPANY As  
21 Alleged Insurer of Suspended Corporation Third-Party  
22 Defendant ADVALLOY, INC.

**[PROPOSED] ORDER**

The Parties having stipulated and agreed, and good cause appearing, **IT IS HEREBY ORDERED THAT:**

1. STC/NSM and Travelers hereby mutually dismiss all of their respective claims plead in the above captioned case against each other **WITHOUT PREJUDICE**;

2. Each, STC/NSM, and Travelers, shall bear their own costs, attorney's fees and expenses; and

3. The July 15, 2013 trial date, and all associated pretrial deadlines, is hereby **VACATED**.

**IT IS FURTHER ORDERED** that the Court shall retain jurisdiction over the Parties for the purposes of enforcing the settlement agreement reached by or between STC/NSM and Travelers in the above captioned case.

The Clerk shall close the file.

Dated: July 2, 2013

*Lucy H. Koh*

HONORABLE LUCY H. KOH  
UNITED STATES DISTRICT COURT