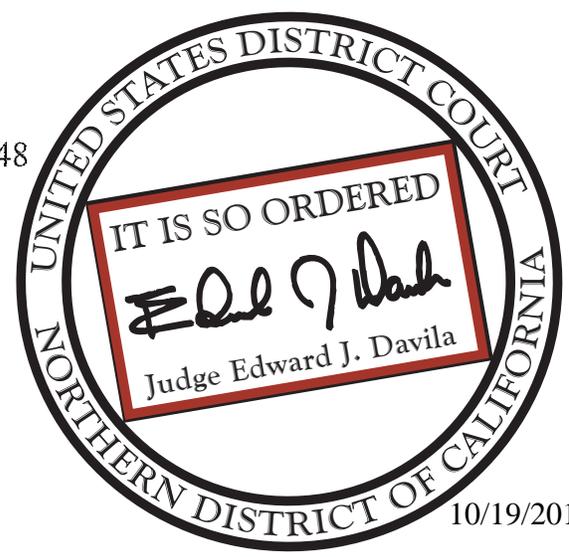


1 Daniel Eli, Esq., State Bar No. 192019
 2 Kimberly R. Arnal, Esq., State Bar No. 200448
 3 **BLACK, COMPEAN, HALL & ELI**
 4 A Limited Liability Partnership
 5 700 South Flower Street, Ste. 3350
 6 Los Angeles, CA 90017
 7 Telephone: (213) 629-9500
 8 Facsimile: (213) 629-4868
 9 E-mail: deli@blackcompeanhall.com
 10 karnal@blackcompeanhall.com



10/19/2011

9 Attorneys for Plaintiffs Travelers Property Casualty; Travelers Indemnity Company
 10 of Illinois; and Travelers Property Casualty Company of America

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA – COUNTY OF SAN JOSE**

14 Travelers Indemnity Company of Illinois;) Case No. CV11-03735 EJD
 15 and Travelers Property Casualty) JUDGE EDWARD J. DAVILA
 16 Company of America,)
 17) **STIPULATION FOR DISMISSAL**
 18 Plaintiffs,)
 19)
 20 vs.)
 21 Aqua Proof, Inc; B.T. Mancini Company,))
 22 Inc.; Bay Area Canvas, Inc.; Concord Iron)
 23 Works, Inc.; Cupertino Electric, Inc.; First)
 24 Specialty Insurance Corporation;))
 25 Frederick Meiswinkel, Inc.; Greenwich)
 26 Insurance Company; Jose Albanese, Inc.;))
 27 Lexington Insurance Company; Morris)
 28 Steel Company, Inc.; National Union Fire)
 Insurance Company of Pittsburgh PA;))
 Pacific Coast Building Products, Inc. dba)
 Alcal Roofing & Insulation; Ray L.))
 Hellwig Mechanical Company, Inc.; Ray)
 L. Hellwig Plumbing & Heating, Inc.;))

1 Milo Masonry, Inc., Royal Glass, Inc.))
2 TIG Insurance Company; Westchester)
3 Fire Insurance Company; Clarendon)
4 American Insurance Company; and)
5 DOES 1-100, inclusive,)
6)
7 Defendants.)

7 **WHEREAS**, Plaintiffs Travelers Indemnity Company of Illinois and
8 Travelers Property Casualty Company of America (collectively "Travelers") wishes
9 to dismiss without prejudice defendants First Specialty Insurance Corporation,
10 Greenwich Insurance Company, Lexington Insurance Company, National Union
11 Fire Insurance Company of Pittsburgh PA, TIG Insurance Company, Westchester
12 Fire Insurance Company and Clarendon American Insurance Company (collectively
13 the "Carrier Defendants") and re-file against them in state.

14 **WHEREAS**, defendant TIG Insurance Company ("TIG") is the only
15 defendant to have appeared in the present action;

16 **WHEREAS**, defendant TIG is amenable to Travelers dismissing without
17 prejudice the Carrier Defendants from the present action;

18 **IT IS HEREBY STIPULATED** by and between Travelers and TIG, by and
19 through their designated counsel, that defendants First Specialty Insurance
20 Corporation, Greenwich Insurance Company, Lexington Insurance Company,
21 National Union Fire Insurance Company of Pittsburgh PA, TIG Insurance
22 Company, Westchester Fire Insurance Company and Clarendon American Insurance

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1 Company are hereby dismissed without prejudice pursuant to FRCP 41(a)(1). TIG
2 further agrees to waive any claim for costs it might have associated with the present
3 action.
4

5 Dated: October 18, 2011

BLACK, COMPEAN, HALL & ELI
A Limited Liability Partnership

6
7
8 By: s/ Kimberly R. Arnal

Daniel Eli

Kimberly R. Arnal

9
10 Attorneys for Plaintiffs Travelers Indemnity
11 Company of Illinois and Travelers Property
12 Casualty Company of America
13

14 Dated: October 17, 2011

LAW OFFICES OF SEMHA ALWAYA
A PROFESSIONAL CORPORATION

15
16 By: Semha Alwaya

Semha Alwaya

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18 Attorneys for Defendant,
19 TIG Insurance Company
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