Robert D. Hoffman - State Bar No. 123458 1 CHARLSTON, REVICH & WOLLITZ LLP 1925 Century Park East, Suite 1250 Los Angeles, California 90067-2746 2 Tel: (310) 551-7016 • Fax: (310) 203-9321 3 E-mail: rhoffman@crwllp.com 4 Attorneys for Defendant, 5 Lincoln General Insurance Company 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION 10 11 TONY PENNISI, an individual, Case No. C12-02695 HRL 12 Plaintiff, STIPULATION FOR DISMISSAL OF ENTIRE ACTION WITH 13 PREJUDICE; ORDER V. 14 LINCOLN GENERAL INSURANCE COMPANY, a corporation, and DOES 15 1 to 20, inclusive, Defendants. 16 17 18 IT IS HEREBY STIPULATED AND AGREED by and between plaintiff 19 Tony Pennisi and defendant Lincoln General Insurance Company, through their 20 designated counsel, that: 21 1. The entire above-captioned action shall be, and hereby is, dismissed 22 with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with 23 each party to bear its own legal fees and costs. 24 25 26 27 28 {00083898.DOCX 1} STIPULATION FOR DISMISSAL OF ENTIRE ACTION WITH PREJUDICE Pennisi v. Lincoln General Ins. Co.

Case No. C12-02695 HRL

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1	2. A proposed Order is submitted concurrently herewith.		
2			Respectfully submitted,
3	DATED:	December 9, 2013	LAW OFFICES OF VINCENT M. SPOHN
4			
5			By: /s/ Vincent M. Spohn
6			Vincent M. Spohn Attorneys for Plaintiff Tony Pennisi
7			
8	- 1 TES	D 1 10 0010	
9	DATED:	December 12, 2013	CHARLSTON, REVICH & WOLLITZ LLP ROBERT D. HOFFMAN
10	,		
11			By: /s/ Robert D. Hoffman
12			Robert D. Hoffman
13			Attorneys for Defendant,
14			Lincoln General Insurance Company
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1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION 10 11 TONY PENNISI, an individual, Case No. C12-02695 HRL 12 Plaintiff, PROPOSEDI ORDER FOR SMISSAL OF ENTIRE ACTION ITH PREJUDICE 13 V. 14 LINCOLN GENERAL INSURANCE COMPANY, a corporation, and DOES 1 to 15 20, inclusive, 16 Defendants. 17 18 Based upon the stipulation of the parties for an order dismissing the entire 19 captioned action with prejudice, with each party to bear his or its own legal fees and 20 costs, and good cause appearing therefor, 21 IT IS HEREBY ORDERED as follows: 22 The above captioned action is dismissed with prejudice in its entirety. 1. 23 2. Each party shall bear his or its own legal fees and costs. 24 IT IS SO ORDERED 25 26 DATED: 12/16/13 27 MAGIST 28 1HOWARD R. LLOYD

[PROPOSED] ORDER FOR DISMISSAL OF ENTIRE ACTION WITH PREJUDICE Pennisi v. Lincoln General Ins. Co.

Case No. C12-02695 HRL