

1 **THE AGUILERA LAW GROUP, APLC**

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8 Attorney for Plaintiff
9 ST. PAUL MERCURY INSURANCE COMPANY

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

13 ST. PAUL MERCURY INSURANCE
14 COMPANY, a Minnesota corporation

14 Plaintiff,

15 v.

16 AMERICAN SAFETY INDEMNITY
17 COMPANY, an Oklahoma corporation; et
18 al.,

18 Defendants.

Case No. 5:12-cv-05952-LHK

**STIPULATION TO DISMISS DEFENDANT
INTERSTATE FIRE & CASUALTY
COMPANY; [~~PROPOSED~~] ORDER**

Complaint Filed: November 21, 2012
Trial Date: No Date Set

20 IT IS HEREBY STIPULATED by and between Plaintiff ST. PAUL MERCURY
21 INSURANCE COMPANY (“ST. PAUL”) and Defendant INTERSTATE FIRE & CASUALTY
22 COMPANY (“INTERSTATE”) through their designated counsel that Defendant INTERSTATE
23 only be and hereby is dismissed without prejudice from the above-captioned action pursuant to
24 FRCP 41(a)(1).

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1 Both Plaintiff ST. PAUL and Defendant INTERSTATE further stipulate to bear their own
2 costs and fees.

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4 Dated: March 26, 2013

THE AGUILERA LAW GROUP, APLC

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7 _____ /s/ Scott La Salle

8 A. Eric Aguilera
9 Scott La Salle
10 Attorneys for Plaintiff ST. PAUL FIRE AND MARINE
INSURANCE COMPANY

11 Dated: March 26, 2013

HAIGHT, BROWN & BONESTEEL LLP

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13 _____ /s/ Jesse M. Sullivan

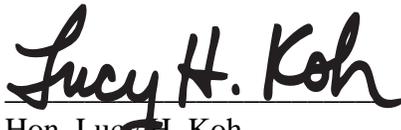
14 Michael J. Leahy
15 Jesse M. Sullivan
16 Attorneys for Defendant INTERSTATE FIRE & CASUALTY
COMPANY

17
18 **ORDER**

19 Pursuant to stipulation of Plaintiff ST. PAUL and Defendant INTERSTATE and good
20 cause existing therefore,

21 **IT IS HEREBY ORDERED** that defendant INTERSTATE only may be dismissed
22 without prejudice, with each party to bear their own costs and fees.

23 Dated: April 2, 2013

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26 Hon. Lucy H. Koh
27 Judge of the District Court
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