

1 **THE AGUILERA LAW GROUP, APLC**

2 A. Eric Aguilera (SBN 192390)
3 Scott La Salle (SBN 188287)
4 650 Town Center Drive
5 Suite 100
6 Costa Mesa, CA 92626
7 T: 714-384-6600 / F: 714-384-6601
8 eaguilera@aguileragroup.com
9 slasalle@aguileragroup.com

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
AMERICAN SAFETY INDEMNITY
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 AMERICAN SAFETY INDEMNITY
22 COMPANY (“AMERICAN SAFETY”) through their designated counsel that Defendant
23 IRONSHORE only be and hereby is dismissed without prejudice from the above-captioned action
24 pursuant to FRCP 41(a)(1).

25 ///

26 ///

27 ///

28 ///

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

3
4 Dated: March 27, 2013

THE AGUILERA LAW GROUP, APLC

5
6
7 _____ /s/ Scott La Salle

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

11 Dated: March 27, 2013

BOORNAZIAN, JENSEN & GARTHE

12
13 _____ /s/ Alan J. Swerdlow


14 Alan J. Swerdlow
15 Attorneys for Defendant AMERICAN SAFETY
INDEMNITY COMPANY

16
17 **ORDER**

18 Pursuant to stipulation of Plaintiff ST. PAUL and Defendant AMERICAN SAFETY and
19 good cause existing therefore,

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

22
23 Dated: April 2, 2013



24 Hon. Lucy H. Koh
25 Judge of the District Court