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11 ST. PAUL MERCURY INSURANCE COMPANY

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

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

16 Plaintiff,

17 v.

18 AMERICAN SAFETY INDEMNITY  
19 COMPANY, an Oklahoma corporation; et  
20 al.,

21 Defendants.

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

**STIPULATION TO DISMISS DEFENDANT  
OLD REPUBLIC INSURANCE COMPANY;  
[PROPOSED] ORDER**

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

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

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