

1 Krsto Mijanovic (Bar No. 205060)
kmijanovic@hbblaw.com
2 Stephen J. Squillario (Bar No. 257781)
ssquillario@hbblaw.com
3 Omar Parra (Bar No. 303041)
oparra@hbblaw.com
4 HAIGHT BROWN & BONESTEEL LLP
Three Embarcadero Center, Suite 200
5 San Francisco, California 94111
Telephone: 415.546.7500
6 Facsimile: 415.546.7505
7 Attorneys for BROAN-NUTONE, LLC

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

11 EXACT PROPERTY & CASUALTY
COMPANY,
12
Plaintiff,
13
v.
14 BROAN-NUTONE, LLC and DOES 1
15 through 20, inclusive,
16
Defendant.

Case No. 17-cv-06770-NC

**STIPULATION OF DISMISSAL WITH
PREJUDICE AND (~~PROPOSED~~) ORDER**

Judge: Hon. Nathanael M. Cousins
Crtrm.: 7

Haight

17
18
19
20
21
22
23
24
25
26
27
28

1 Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure and the November 8,
2 2018 Settlement and General Release Agreement, Plaintiff Exact Property & Casualty Company
3 and Defendant Broan-NuTone, LLC, by and through their respective counsel of record, hereby
4 stipulate that Plaintiff’s entire action is dismissed with prejudice. Each party is to bear its own
5 costs and attorney fees.

6 IT IS SO STIPULATED.

7 Dated: November 13, 2018 AUDLEY & AUDLEY

8
9 By: /s/ Michael R. Audley
10 Michael R. Audley
11 Attorneys for Plaintiff,
12 EXACT PROPERTY & CASUALTY
COMPANY

13 Dated: November 13, 2018 HAIGHT BROWN & BONESTEEL LLP

14
15 By: /s/ Omar Parra
16 Krsto Mijanovic
17 Stephen J. Squillario
18 Omar Parra
Attorneys for BROAN-NUTONE, LLC

19 **DECLARATION PURSUANT TO CIVIL LOCAL RULE 6-2(a)**

20 I, Omar Parra, declare under penalty of perjury under the laws of the United States of
21 America that I have obtained Mr. Michael R. Audley’s consent to this Stipulation, and that the
22 representations made in the Stipulation are true and correct.

23 Executed this 13th day of November, 2018, at San Francisco, California

24
25 HAIGHT BROWN & BONESTEEL LLP

26 /s/ Omar Parra
27 Omar Parra
28 Attorneys for Defendant BROAN-NUTONE, LLC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~(PROPOSED)~~ ORDER

The Court having considered the Stipulation of the parties, and good cause appearing therefor, orders as follows:

- 1. The November 28, 2018 Further Case Management Conference is vacated;
- 2. The action is dismissed with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure;
- 3. Each party shall bear their own costs and attorneys' fees;
- 4. The Court shall retain jurisdiction over this matter to enforce the terms of the November 8, 2018 Settlement and General Release Agreement.

IT IS SO ORDERED.

Dated: November 14, 2018

