

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
MAY 27 2015	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

FEDERAL DEPOSIT INSURANCE  
CORPORATION AS RECEIVER FOR  
NETBANK, FSB,

Plaintiff,

v.

SAFECO INSURANCE COMPANY OF  
AMERICA,

Defendant.

Case No. 2:02-cv-1051-KJD-LRL

**JOINT STIPULATION DISMISSING  
ACTION WITH PREJUDICE PURSUANT  
TO FED. R. CIV. P. 41(a)(1)**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff Federal Deposit Insurance Corporation, as Receiver for NetBank, FSB ("Plaintiff") and Defendant Safeco Insurance Company of America ("Defendant") respectfully inform the Court that the matter has settled and a settlement agreement has been consummated.

Fed. R. Civ. P. 41(a)(1)(A)(ii) provides that an action may be dismissed by the plaintiff without order of the court by filing a stipulation of dismissal signed by all parties who have appeared. Here, all remaining parties to this litigation who have appeared have signed and consented to the dismissal with prejudice of this action.

Therefore, Plaintiff files this stipulation of voluntary dismissal with prejudice of the above styled case against Defendant. Plaintiff and Defendant have agreed that each party is to bear its own fees and costs.

**So Stipulated.**

Date: May 26, 2015

By: /s/ Sam E. Taylor, Jr.

Sam E. Taylor, Jr  
FDIC Legal Division  
1601 Bryan Street, 15th Floor  
Dallas, TX 75201-4330  
Phone: 972-761-8142  
Email: SaTaylor@fdic.gov

Counsel for Plaintiff  
Federal Deposit Insurance Corporation,  
as Receiver for NetBank, FSB

By: /s/ Joshua S. Lipshutz

Joshua S. Lipshutz  
Gibson, Dunn & Crutcher LLP  
555 Mission Street  
San Francisco, CA 94105-0921  
Phone: 415-393-8233  
Email: JLipshutz@gibsondunn.com

Counsel for Defendant  
Safeco Insurance Corporation of America

IT IS SO ORDERED:



---

KENT J. DAWSON

U.S. District Judge

Dated: May 27, 2015