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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Archie Sanders, individually; James  
Houston, individually;

Plaintiff,

vs.

Church Mutual Insurance Company, Inc.;  
DOES 1 through 100; and ROE  
CORPORATIONS 101 through 200

Defendants

**CASE NO.: 2:12-cv-01392-LRH-PAL**

**STIPULATION AND ORDER FOR  
VOLUNTARY DISMISSAL AND  
WITHDRAWAL OF PENDING  
MOTION FOR SUMMARY  
JUDGMENT (#17)**

**IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN**, the  
Plaintiffs, ARCHIE SANDERS and JAMES HOUSTON, by and through their attorney  
of record, SCOTT L. POISSON, ESQ. and JAMIE H. CORCORAN, ESQ., of the firm  
BERNSTEIN & POISSON, and Defendant, CHURCH MUTUAL INSURANCE  
COMPANY, by and through their counsel of record, PETER ANGULO ESQ. of the firm

1 OLSON, CANNON, GORMLEY, ANGULO, & STOBERSKI, stipulate that the above-  
2 captioned lawsuit shall be dismissed as follows:

3 **Count I (negligence) has already been dismissed by prior order of the Court,**  
4 **said dismissal is with prejudice**

5 **As to Count II (breach of contract), this Claim shall be dismissed WITHOUT**  
6 **prejudice,** with each party to bear its own fees and costs.  
7

8 **As to Count III (breach of the implied covenant of good faith and fair dealing),**  
9 this claim shall be **dismissed WITH prejudice,** with each party to bear its own fees and  
10 costs.

11 **As to Count IV (unfair claims practices), this Claim shall be dismissed WITH**  
12 **Prejudice,** with each party to bear its own fees and costs.  
13

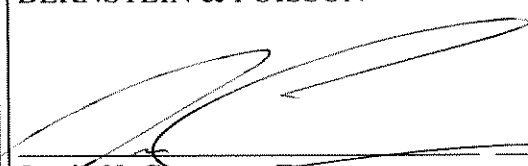
14 In addition, as a result of this Stipulation, Defendant agrees to withdraw its  
15 presently pending Motion for Summary Judgment (#17) as moot.  
16

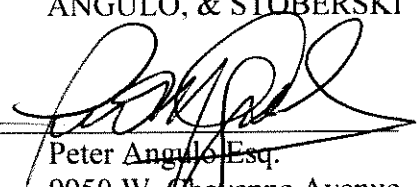
17 Dated this 1 day of May, 2013

Dated this 1 day of May, 2013

18 BERNSTEIN & POISSON

19 OLSON, CANNON, GORMLEY,  
20 ANGULO, & STOBERSKI

21   
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**ORDER**

IT IS HEREBY ORDERED Plaintiffs' Complaint against Church Mutual Insurance Company is dismissed completely in the following manner: **without prejudice** as to Count II and **with prejudice** as to Counts III, and IV – with the parties to bear their own costs and attorneys' fees.

DATED this 3rd day of May, 2013



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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE