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 NATIONAL INSURANCE COMPANY

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 8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

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 11 CENTEX HOMES, a Nevada general  
 partnership,

12 Plaintiff,

13 v.

14 NAVIGATORS SPECIALTY INSURANCE  
 15 COMPANY, a New York corporation;  
 16 EVEREST NATIONAL INSURANCE  
 COMPANY, a Delaware corporation;  
 17 INTERSTATE FIRE & CASUALTY  
 COMPANY, an Illinois corporation;  
 18 LEXINGTON INSURANCE COMPANY, a  
 Delaware corporation; FEDERAL  
 19 INSURANCE COMPANY, an Indiana  
 corporation; UNDERWRITERS AT LLOYDS  
 20 LONDON, an England corporation; and ST.  
 PAUL FIRE AND MARINE INSURANCE  
 21 COMPANY, a Connecticut corporation,

22 Defendants.

Case No. 2:16-cv-01958-JAD-VCF

**STIPULATION AND ORDER FOR  
 DISMISSAL OF EVEREST'S CROSS-  
 CLAIM AGAINST LEXINGTON**

ECF NO. 61, 74

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 25 IT IS HEREBY STIPULATED AND AGREED, by and between attorney Joshua Zlotlow  
 26 of Herold & Sager, counsel for defendant/cross-defendant Lexington Insurance Company, and  
 27 Theodore J. Kurtz of Selman Breitman LLP, counsel for defendant/cross-claimant Everest  
 28 National Insurance Company, that the cross-claim of Everest against Lexington be dismissed

Selman Breitman LLP  
 ATTORNEYS AT LAW

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without prejudice, with each party to pay their own attorneys' fees and costs.

DATED: March 1, 2017

HEROLD & SAGER

By: /s/ Joshua A. Zlotlow  
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DATED: March 1, 2017

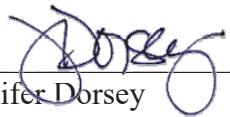
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**ORDER**

Local Rule 7-1(c) states that “A stipulation that has been signed by fewer than all the parties or their attorneys will be treated—and must be filed—as a joint motion.” This stipulation [ECF No.74] is between defendant/cross-defendant Lexington Insurance Company and defendant/cross-claimant Everest National Insurance Company. Accordingly, I treat it as a joint motion under LR 7-1(c), find good cause, and **GRANT it [ECF No. 74]**.

IT IS THEREFORE ORDERED that Everest’s cross-claim against Lexington is **DISMISSED** with prejudice, each party to bear its own fees and costs, and Lexington’s Motion to Dismiss the Cross-claim [ECF No. 61] is **DENIED** as moot.

  
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Jennifer Dorsey  
U.S. District Judge 3-1-17