

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PACIFIC INSURANCE COMPANY, LTD.,

Plaintiff,

v.

JOSEPH LAPLANTE,

Defendant.

Civil Action No.:

7:09-CV-00389 (TJM/GJD)

STIPULATION AND ORDER

OF DISMISSAL

WHEREAS, plaintiff has filed suit by way of a Summons and Complaint dated April 3, 2009; and

WHEREAS, the defendant has not appeared in the action nor has plaintiff served defendant with the Summons and Complaint; and

WHEREAS, plaintiff wishes to discontinue the action, without prejudice;

IT IS STIPULATED AND AGREED, that the above-entitled action be and the same is hereby discontinued, without prejudice and without cost to either party.

GOLDBERG SEGALLA LLP

BY: /s/ Sharon Angelino
Sharon Angelino, Esq. (Bar No. 515447)
Attorneys for Plaintiff, Pacific Insurance Company, Ltd.
665 Main Street, Suite 400
Buffalo, New York 14203-1425
(716) 566-5400
E-Mail: sangelino@goldbergsegalla.com

SO ORDERED: 9/25/09

 G. DiBianco
Hon. Gustave J. DiBianco
United States Magistrate Judge