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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

8 ESTATE OF VIOLA B. SPAULDING, *et al.*,

9 Case No. C 08-00672

10 Plaintiffs,

11 v.
12 YORK CLEANERS, INC., *et al.*
13 Defendants.

14 AND RELATED COUNTERCLAIMS,
15 CROSS-CLAIMS, AND THIRD-PARTY
15 CLAIMS

16 WHEREAS the Estate of Barnard Lewis, Deceased *ex rel.* Insurance Company of the West has
17 filed a motion to dismiss, or in the alternative, motion for summary judgment on the basis that it has
18 not located an insurance policy for Barnard Lewis, David Victor Lewis, or York Cleaners, Inc.
19 WHEREAS the Estate of Viola B. Spaulding, Florence Spaulding, Lynn Spaulding doing
20 business as Spaulding Enterprizes, Tina Spaulding Ward doing business as Spaulding Enterprizes, and
21 the Conservatorship of Eileen Spaulding (collectively, "Spaulding") seeks to voluntarily dismiss
22 without prejudice its Second Amended Complaint as to Estate of Barnard Lewis, Deceased *ex rel.*
23 Insurance Company of the West.
24 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES, BY AND THROUGH
25 THEIR UNDERSIGNED COUNSEL, THAT:
26
27 1. Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) Spaulding's Second
28

28 STIPULATION RE VOLUNTARY DISMISSAL OF SECOND AMENDED COMPLAINT
AS TO ESTATE OF BARNARD LEWIS, DECEASED *EX REL.* INSURANCE COMPANY OF THE WEST



1 Amended Complaint as to Estate of Barnard Lewis, Deceased *ex rel.* Insurance Company of the West
2 is voluntarily dismissed without prejudice.

3 IT IS SO STIPULATED:

4 DATED: May 29, 2009

PALADIN LAW GROUP® LLP

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By: _____ /S/
7 Bret A. Stone
8 Counsel for Spaulding

9 DATED: May 29, 2009

LAW OFFICES OF CLIFFORD HIRSCH

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By: _____ /S/
12 Robert V. Closson
13 Counsel for Estate of Barnard Lewis, Deceased
14 *ex rel.* Insurance Company of the West



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