UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

TRAVELERS CASUALTY AND SURETY COMPANY as successor to THE AETNA	: CIVIL ACTION NO.
CASUALTY AND SURETY COMPANY,	: 2:11-cv-00063-EAS-NMK
Plaintiff,	: Judge Edmund A. Sargus Magistrate Judge Norah M. King
VS.	:
NATIONWIDE MUTUAL INSURANCE	
COMPANY, NATIONAL CASUALTY COMPANY, ARGONAUT INSURANCE	
COMPANY, and FACTORY MUTUAL INSURANCE COMPANY, formerly known as	
ARKWRIGHT MUTUAL INSURANCE COMPANY,	:
	: January 11, 2012
Defendants.	:

STIPULATION OF DISMISSAL OF ALL CLAIMS BETWEEN PLAINTIFF TRAVELERS AND DEFENDANT FACTORY MUTUAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the Plaintiff, Travelers Casualty and Surety Company f/k/a The Aetna Casualty and Surety Company, and the Defendant, Factory Mutual Insurance Company, successor to Allendale Mutual Insurance Company and Arkwright Mutual Insurance Company, which is successor to Philadelphia Manufacturers Mutual Insurance Company, hereby stipulate to the dismissal of all claims and counterclaims between them in this action, with prejudice, with each party responsible for its own attorneys' fees and costs. Respectfully Submitted,

TRAVELERS CASUALTY AND SURETY COMPANY as successor to THE AETNA CASUALTY AND SURETY COMPANY

By its Attorneys,

/s/ Joseph K. Scully Joseph K. Scully jkscully@daypitney.com Steven J. Fisher <u>sfisher@daypitney.com</u> Day Pitney LLP 242 Trumbull Street Hartford, CT 06103-3499 Tel: 860 275 0100 Fax: 860 881 2516

and

John G. Farnan (0038558) Weston Hurd LLP The Tower at Erieview 1301 East 9th Street, Suite 1900 Cleveland, OH 44114-1862 Tel: 216 241 6602 Fax: 216 621 8369 FACTORY MUTUAL INSURANCE COMPANY as successor to ALLENDALE MUTUAL INSURANCE COMPANY and ARKWRIGHT MUTUAL INSURANCE COMPANY as successor to PHILADELPHIA MANUFACTURERS MUTUAL INSURANCE COMPANY By its Attorneys,

<u>/s/ Anne Marie Regan</u> Mitchell S. King <u>mking@princelobel.com</u> Anne-Marie Regan <u>amregan@princelobel.com</u> Prince Lobel Tye LLP 100 Cambridge Street, Suite 2200 Boston, MA 02114 Tel: 617-456-8000 Fax: 617-456-8100

and

Richard D. Porotsky, Jr., Dinsmore & Shohl LLP 255 East Fifth Street Cincinnati, OH 45202 Tel: 513 977 8256 Fax: 513 977 8141

CERTIFICATE OF SERVICE

I, Anne-Marie Regan, hereby certify that this document will be sent electronically and by regular mail to all counsel of record on January 11, 2012.

<u>/s/ Anne Marie Regan</u> Anne-Marie Regan