

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LIBERTY MUTUAL INSURANCE COMPANY,)	
et al.,)	
)	
Petitioners,)	
)	
v.)	Civil Action No. 1:11-cv-11245-MBB
)	
THE CONTINENTAL INSURANCE COMPANY,)	
successor to NIAGARA FIRE INSURANCE)	
COMPANY,)	
)	
)	
Respondent.)	

STIPULATION OF DISMISSAL WITH PREJUDICE

Petitioners Liberty Mutual Insurance Company, Liberty Surplus Insurance Corporation, Liberty Insurance Underwriters, Inc., and Liberty Mutual Insurance Europe Limited (collectively, “Liberty Mutual”), and Respondent The Continental Insurance Company successor to Niagara Fire Insurance Company (collectively, “CNA”), hereby stipulate and agree, in accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), that this action shall be, and hereby is, dismissed with prejudice, with each party to bear its own costs, attorneys’ fees and expenses. Any and all rights of appeal are hereby waived.

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Respectfully submitted,

LIBERTY MUTUAL INSURANCE
COMPANY, ET AL.,

THE CONTINENTAL INSURANCE
COMPANY,

By their attorneys,

By its attorney,

/s/ David A. Attisani

/s/ Daniel Hargraves

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Dated: April 27, 2012

CERTIFICATE OF SERVICE

I hereby certify that this Stipulation of Dismissal filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants (if any) as of the date of this filing.

/s/ Jessica A. Foster

Jessica. A. Foster

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LIBERTY MUTUAL INSURANCE
COMPANY, et al.,,

Plaintiff,

v.

CIVIL ACTION NO.
11-cv-11245-MBB

THE CONTINENTAL INSURANCE
COMPANY, successor to NIAGARA FIRE
INSURANCE COMPANY,

Defendant.

FINAL JUDGMENT

MAY 7, 2012

BOWLER, U.S.M.J.

In accordance with the Stipulation of Dismissal filed by the parties, it is hereby Ordered and Adjudged that this action be **DISMISSED** with prejudice and each party to bear its own costs, attorneys' fees and expenses. Any and all rights of appeal are hereby waived. .

/s/ Marianne B. Bowler
MARIANNE B. BOWLER
United States Magistrate Judge