

MANDATE

NHCT
02-cv-945
Burns

IN THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

DOCKET NO. 04-2056-cv (L)
DOCKET NO. 04-2057-cv (CON)

NORTHFIELD INSURANCE COMPANY :

V. :

DERMA CLINIC, INC. :

JULY 26, 2007

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for Defendants/Third Party Plaintiffs-Appellants Derma Clinic, Inc. and Patricia O'Regan Brown; Defendants/Appellants Holly Allen, Jane Doe and Mary Roe; Plaintiff/Appellee Northfield Insurance Company; and Third Party Defendant/Appellee the Northern Insurance Company of New York, that: 1) the above-entitled action may be dismissed with prejudice and without costs or disbursements to either party as against the other; and 2) the related action pending in the Connecticut Supreme Court, Northfield Ins. Co., Inc., et al. v. Derma Clinic, Inc., et al., S.C. No. 17678, in which the Connecticut Supreme Court accepted four questions of law that had been certified to it by the Second Circuit Court of Appeals in the

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk
by [Signature]
DEPUTY CLERK

CERTIFIED:

8/14/2007

instant matter, may be dismissed with prejudice and without costs or disbursements to either party as against the other.

Dated July 26, 2007

APPELLANTS HOLLY ALLEN,
JANE DOE AND MARY ROE

APPELLANTS, DERMA CLINIC, INC.
AND PATRICIA O'REGAN BROWN

BY: Kathryn Emmett
Kathryn Emmett (ct05605)
Emmett & Glander
45 Franklin Street
Stamford, CT 06901
(203) 324-7744
Email: kemmett@emmettandglander.com
Their attorneys

BY: _____
Mark J. Kovack (ct01431)
Wake, See, Dimes & Bryniczka
27 Imperial Avenue, P.O. Box 777
Westport, CT 06881.0777
(203) 227-9545
Email: mkovack@wsdb.com
Their attorneys

PLAINTIFF-APPELLEE
NORTHFIELD INSURANCE COMPANY

THIRD-PARTY DEFENDANT-
APPELLEE, THE NORTHERN
INSURANCE COMPANY OF NEW
YORK

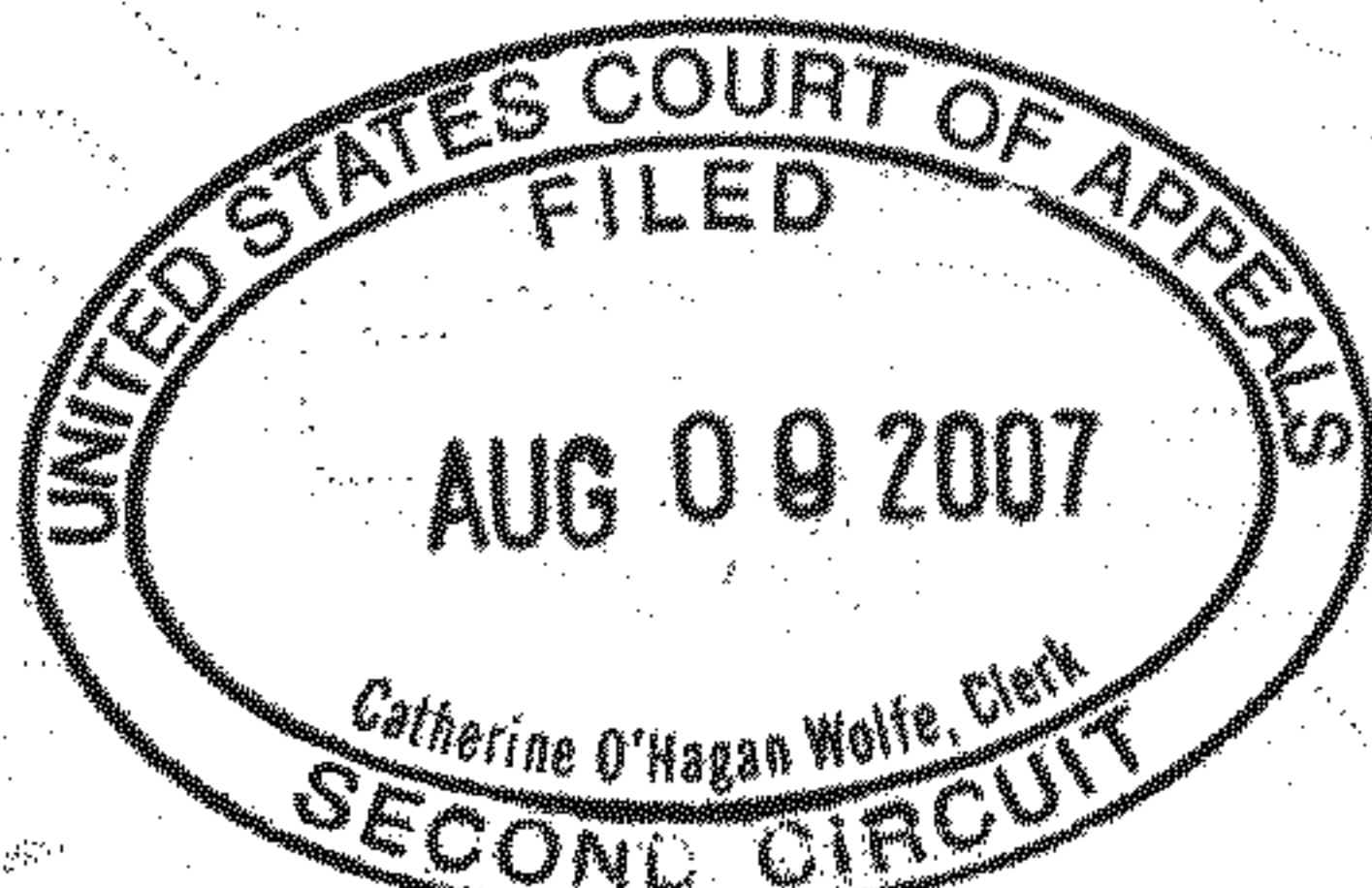
BY: _____
James V. Somers (ct)
Halloran & Sage, LLP
One Goodwin Square, 225 Asylum Street
Hartford, CT 06103
(860) 297-4647
Email: somers@halloran-sage.com
Its attorneys

BY: _____
Linda L. Morkan (ct)
Robinson & Cole
280 Trumbull Street
Hartford, CT 06103.3597
(860) 275-8200
Email: lmorkan@rc.com
Their attorneys

ORDER

Before: Hon. Ralph K. Winter, Hon. Rosemary S. Pooler, Hon. Sonia Sotomayor, *Circuit Judges*
SO ORDERED.

AUG 09 2007
Date



FOR THE COURT:
CATHERINE O'HAGAN WOLFE, Clerk
by Elizabeth Duwe
Elizabeth Duwe
Acting Motions Staff Attorney

instant matter, may be dismissed with prejudice and without costs or disbursements to either party as against the other.

Dated July , 2007

APPELLANTS HOLLY ALLEN,
JANE DOE AND MARY ROE

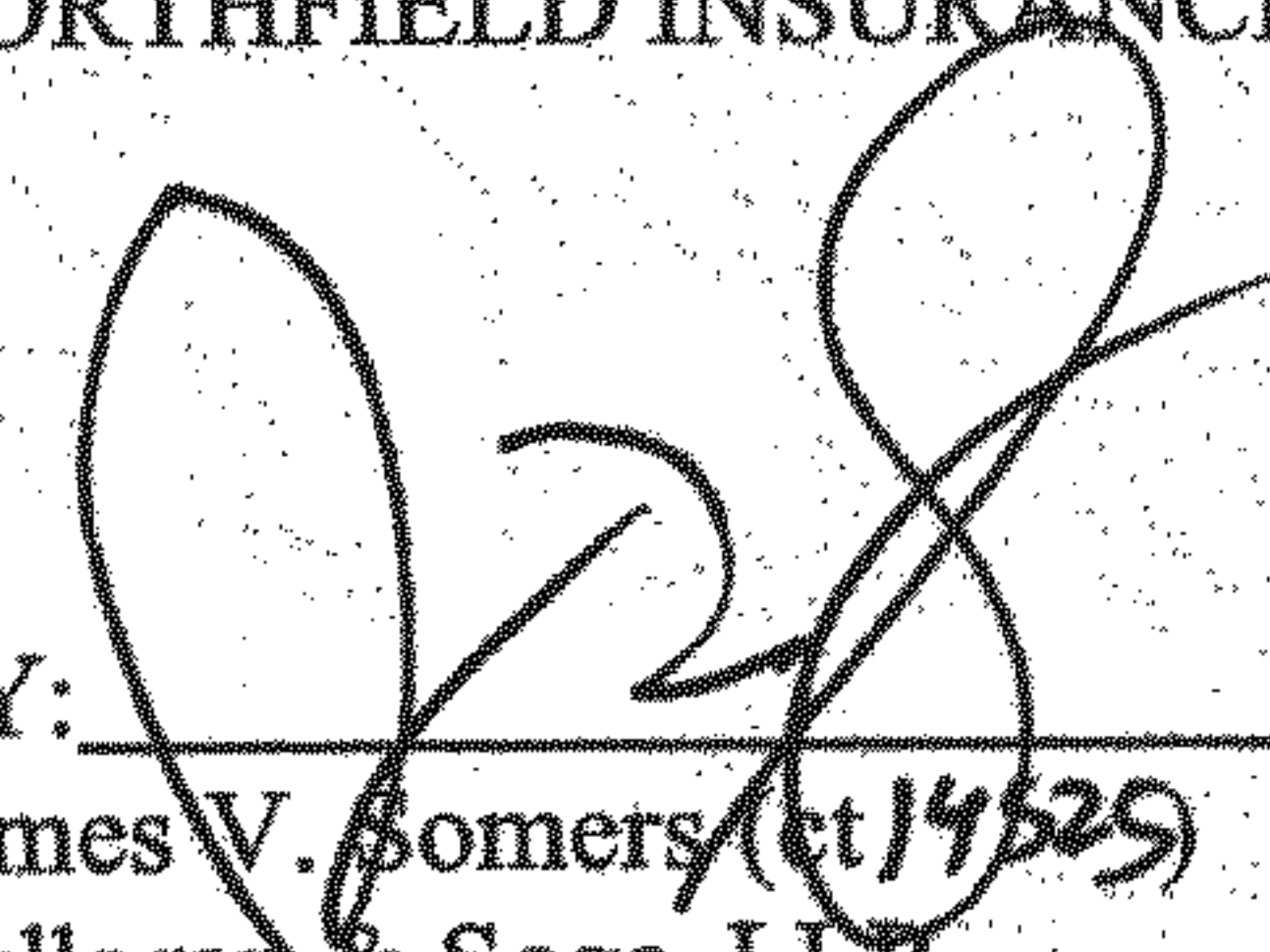
APPELLANTS, DERMA CLINIC, INC.
AND PATRICIA O'REGAN BROWN

BY: _____
Kathryn Emmett (ct05605)
Emmett & Glander
45 Franklin Street
Stamford, CT 06901
(203) 324-7744
Email: kemmett@emmettandglander.com
Their attorneys _____

BY: _____
Mark J. Kovack (ct01431)
Wake, See, Dimes & Bryniczka
27 Imperial Avenue, P.O. Box 777
Westport, CT 06881.0777
(203) 227-9545
Email: mkovack@wsdb.com
Their attorneys _____

PLAINTIFF-APPELLEE
NORTHFIELD INSURANCE COMPANY

THIRD-PARTY DEFENDANT-
APPELLEE, THE NORTHERN
INSURANCE COMPANY OF NEW
YORK

BY:  _____
James V. Somers (ct 14529)
Halloran & Sage, LLP
One Goodwin Square, 225 Asylum Street
Hartford, CT 06103
(860) 297-4647
Email: somers@halloran-sage.com
Its attorneys _____

BY: _____
Linda L. Morkan (ct)
Robinson & Cole
280 Trumbull Street
Hartford, CT 06103.3597
(860) 275-8200
Email: lmorkan@rc.com
Their attorneys _____


instant matter, may be dismissed with prejudice and without costs or disbursements to either party as against the other.

Dated July , 2007

APPELLANTS HOLLY ALLEN,
JANE DOE AND MARY ROE

APPELLANTS, DERMA CLINIC, INC.
AND PATRICIA O'REGAN BROWN

BY: _____
Kathryn Emmett (ct05605)
Emmett & Glander
45 Franklin Street
Stamford, CT 06901
(203) 324-7744
Email: kemmett@emmettandglander.com
Their attorneys _____

BY:  _____
Mark J. Kovack (ct01431)
Wake, See, Dimes & Bryniczka
27 Imperial Avenue, P.O. Box 777
Westport, CT 06881.0777
(203) 227-9545
Email: mkovack@wsdb.com
Their attorneys _____

PLAINTIFF-APPELLEE
NORTHFIELD INSURANCE COMPANY

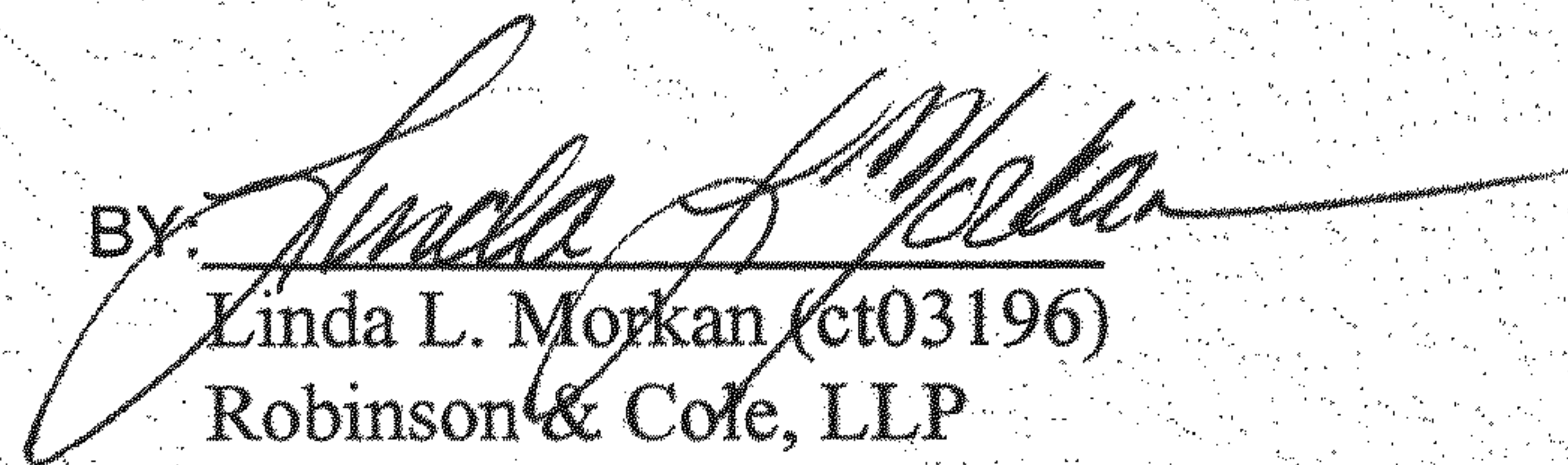
THIRD-PARTY DEFENDANT-
APPELLEE, THE NORTHERN
INSURANCE COMPANY OF NEW
YORK

BY: _____
James V. Somers (ct)
Halloran & Sage, LLP
One Goodwin Square, 225 Asylum Street
Hartford, CT 06103
(860) 297-4647
Email: somers@halloran-sage.com
Its attorneys _____

BY: _____
Linda L. Morkan (ct)
Robinson & Cole
280 Trumbull Street
Hartford, CT 06103.3597
(860) 275-8200
Email: lmorkan@rc.com
Their attorneys _____

APPELLEE, THE NORTHERN INSURANCE COMPANY OF NEW YORK

BY:



Linda L. Morkan (ct03196)

Robinson & Cole, LLP

280 Trumbull Street

Hartford, CT 06103.3597

(860) 275-8200

Email: lmorkan@rc.com