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Elizabeth A. Brown
Clerk of Supreme Court

11 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

12 FOREMOST INSURANCE COMPANY
13 GRAND RAPIDS MICHIGAN, a
14 Michigan Corporation; MID-CENTURY
15 INSURANCE COMPANY, a California
16 Corporation; and FARMERS
17 INSURANCE EXCHANGE,

18 Appellants/Cross-Respondents,

19 vs.

20 FILIPPO SCIARRATTA, an individual,

21 Respondent/Cross-Appellant.

Supreme Court No. 79604

District Court Case No.
A756368

**STIPULATION TO DISMISS
FARMERS ENTITIES'
APPEAL**

22 Pursuant to the Court's April 28, 2020 Order and Nevada Rules of Appellate
23 Procedure Rule 16, the parties stipulate to the dismissal of the appeal brought by
24 Foremost Insurance Company Grand Rapids Michigan, Mid-Century Insurance
25 Company and Farmers Insurance Exchange ("the Farmers Entities"). This partial
26 dismissal of the matter on appeal is with prejudice, and the parties agree that each
27 shall bear its own fees and costs.

This stipulation does not affect Filippo Sciarratta's cross-appeal, which shall
proceed under the following stipulated facts:

1. Defendant Jonas Stoss was negligent in operating the motorcycle at issue on June 3, 2015, while Filippo Sciaratta was a passenger.

2. Filippo Sciarratta's damages, as a result of said negligence, exceed the \$1,000,000.00 limit of the umbrella policy at issue in the cross-appeal regardless of any offsets, consideration of primary coverage or any other basis for reducing claimed damages.

A proposed order accompanies this stipulation.

RESPECTFULLY SUBMITTED this 28th day of May 2020.

By: /s/ Gena L. Sluga

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Mid-Century Insurance Company

By: /s/ *Jordan P. Schnitzer* (w/ permission)

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Filippo Sciarratta

CERTIFICATE OF ELECTRONIC SERVICE

Pursuant to Nevada Rules of Appellate Procedure 25(b), I hereby certify that service of the foregoing, **STIPULATION TO DISMISS FARMERS ENTITIES' APPEAL**, was made this 28th day of May 2020 via electronic service addressed as follows:

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District Court Case No.
A756368

ORDER

22 Pursuant to the parties' Stipulation to Dismiss, the appeal brought by
23 Foremost Insurance Company Grand Rapids Michigan, Mid-Century Insurance
24 Company and Farmers Insurance Exchange is hereby dismissed. Each party shall
25 bear its own fees and costs. This Order shall not affect Filippo Sciarratta's cross-
26 appeal, which shall proceed under the following stipulated facts:

27 1. Defendant Jonas Stoss was negligent in operating the motorcycle at issue
on June 3, 2015, while Filippo Sciarratta was a passenger.

1 2. Filippo Sciarratta's damages, as a result of said negligence, exceed the
2 \$1,000,000.00 limit of the umbrella policy at issue in the cross-appeal regardless of
3 any offsets, consideration of primary coverage or any other basis for reducing
4 claimed damages.

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6 It is so ORDERED.

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