

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

ALLSTATE INSURANCE COMPANY,))
as subrogee of Edward Brown,))

Plaintiff,))

No.: 1:08-CV-1928

v.))

TOSHIBA AMERICA INFORMATION))
SYSTEMS, INC. and))
SONY ELECTRONICS, INC.,))

Defendant.))

MOTION TO DISMISS

NOW COMES Plaintiff ALLSTATE INSURANCE COMPANY (hereinafter "Allstate"), as subrogee of Edward Brown, by and through its respective attorneys, Lynn K. Weaver of GROTEFELD & HOFFMANN, LLP, and for its Motion to Dismiss hereby states as follows:

1. All matters in dispute between Plaintiff and Defendants having been satisfactorily compromised and settled it is hereby agreed that this cause of action be dismissed, with prejudice, without costs to either party, all costs having been paid.

2. It is further agreed by and between the parties that an order pursuant to the foregoing may be entered on record without further notice to either party, upon the presentation of this motion.

Respectfully submitted,

ALLSTATE INSURANCE COMPANY,
as subrogee of Edward Brown

By: /s/ Lynn K. Weaver
One of Its Attorneys

Lynn K. Weaver
Grotefeld & Hoffmann, LLP
180 North LaSalle, Suite 1810
Chicago, Illinois 60601
(312) 551-0200

and

Brian T. Moore
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P.O. Box 7600
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Atlanta, GA 30357

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that she has prepared the within and foregoing document in accordance with LR 5.1, NDGa, and LR 7.1(D), NDGa. Specifically, counsel certifies that she has used 14-point Times New Roman as the font in these documents.

This 25th day of June, 2009.

Allstate Insurance Company,

/s/ Lynn K. Weaver

Grotefeld & Hoffmann, LLP
180 N. LaSalle Street, Suite 1810
Chicago, IL 60601
312-551-0200

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for all parties in this action with a copy of the foregoing **MOTION TO DISMISS** via the Court's electronic filing system (CM/ECF system or Lexis/Nexis) which will automatically send e-mail notification of such filing to the following attorneys of record:

Stephen L. Cotter
Pamela N. Lee
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4000 SunTrust Plaza
303 Peachtree St., N.E.
Atlanta, GA 30308-3243

This 25th day of June, 2009.

Allstate Insurance Company,

/s/ Lynn K. Weaver

Grotefeld & Hoffmann, LLP
180 N. LaSalle Street, Suite 1810
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312-551-0200