

JUL 08 2010

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FEDERAL INSURANCE COMPANY,

Plaintiff - Appellee,

v.

GOLDEN EAGLE INSURANCE  
CORPORATION,

Defendant - Appellant.

No. 09-55906

D.C. No. 3:05-cv-01853-MMA-  
LSP

MEMORANDUM\*

FEDERAL INSURANCE COMPANY,

Plaintiff - Appellant,

v.

GOLDEN EAGLE INSURANCE  
CORPORATION,

Defendant - Appellee.

No. 09-55925

D.C. No. 3:05-cv-01853-MMA-  
LSP

Appeal from the United States District Court  
for the Southern District of California  
Michael M. Anello, District Judge, Presiding

\* This disposition is not appropriate for publication and is not precedent  
except as provided by 9th Cir. R. 36-3.

Argued and Submitted June 8, 2010  
Pasadena, California

Before: TROTT and W. FLETCHER, Circuit Judges, and BREYER,  
District Judge.\*\*

We affirm for the reasons stated by the district court in the three orders relevant to this case. Those orders are (1) Order Granting in Part and Denying in Part Plaintiff's and Defendant's Motions for Summary Judgment, dated May 14, 2009; (2) Order Granting Plaintiff's Motion for Partial Summary Judgment and Denying Defendant's Motion for Summary Judgment, dated June 26, 2007; and (3) Order Denying Defendant's Motion to Dismiss, dated May 12, 2006.

**AFFIRMED.**

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\*\* The Honorable Charles R. Breyer, United States District Judge for the Northern District of California, sitting by designation.