

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA**

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SOCIETY INSURANCE,	)	
	)	Case No. 4:15-cv-00005
Plaintiff,	)	
	)	
v.	)	
	)	
TEMPLETON RYE SPIRITS, LLC, an Iowa	)	<b>VOLUNTARY DISMISSAL</b>
Limited Liability Company, TIMOTHY SEILS	)	<b>WITH PREJUDICE</b>
and RYAN TOWNSEND.	)	
	)	
Defendants.	)	

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COMES NOW the Plaintiff, SOCIETY INSURANCE, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and Local Rule 41(a)(1), by and through its attorneys, Grefe & Sidney, P.L.C and Purcell & Wardrope, Chtd., and subject to the Stipulation executed between the parties (Exhibit 1), dismisses the above-captioned Complaint for Declaratory Judgment against Defendant TEMPLETON RYE SPIRITS, LLC, an Iowa Limited Liability Company, with prejudice.

Respectfully submitted,

**Certificate of Service**

The undersigned certifies that the foregoing instrument was served upon the parties to this action by serving a copy upon each of the attorneys listed as receiving notice on April 20, 2015, by EDMS, pursuant to Local Rule 5.3(i)/ECF.

/s/ Joseph F. Moser

Original Filed.

GREFE & SIDNEY, P.L.C.

By: /s/ Guy R. Cook  
Guy R. Cook AT0001623

By: /s/ Joseph F. Moser  
Joseph F. Moser AT0011413

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ATTORNEYS FOR PLAINTIFF  
SOCIETY INSURANCE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA**

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SOCIETY INSURANCE,	)	
	)	Case No.: 4:15-CV-00005
Plaintiff,	)	
	)	
v.	)	
	)	<b>STIPULATION</b>
TEMPLETON RYE SPIRITS, LLC, an Iowa	)	
Limited Liability Company, TIMOTHY SEILS	)	
and RYAN TOWNSEND.	)	
	)	
Defendants.	)	

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**STIPULATION**

Please take notice that Plaintiff, SOCIETY INSURANCE (“SOCIETY”) and Defendant, TEMPLETON RYE SPIRITS, LLC (“TEMPLETON”) hereby stipulate and agree as follows:

(1) Prior to the date hereof, SOCIETY filed two declaratory judgment actions against TEMPLETON. The first declaratory judgment was filed in the Circuit Court of Cook County, cause number 2014 CH 18926 (“Cook County Declaratory Action”). The second declaratory judgment was filed in the United States District Court for the Southern District of Iowa, cause number 4:15-CV-00005 (“Iowa Declaratory Action”). The Cook County Declaratory Action and the Iowa Declaratory Action will be referred to collectively as the “Society Declaratory Actions”.

(2) The Society Declaratory Actions arise out of class action lawsuits filed against TEMPLETON, including: *Christopher McNair, individually and on behalf of all others similarly situated v. Templeton Rye Spirits, LLC, an Iowa Limited Liability Company*, filed in the Circuit Court of Cook County, 2014 CH 14583, later removed to the United States District Court for the Northern District of Illinois, 1:14-cv-07440, (“McNair Lawsuit”); *Mario Aliano and Due*

*Fratelli, Inc., individually, and on behalf of all others similarly situated v. Templeton Rye Spirits, LLC* filed in the Circuit Court of Cook County, 2014 CH 15667 (“Aliano/Fratelli Lawsuit”); and, *Ryan Townsend and Timothy Seils, on behalf of themselves and all persons similarly situated v. Templeton Rye Spirits, LLC* filed in the District Court in and for Polk County, Iowa, 05771 CVCV 048581 (“Townsend/Seils Lawsuit”). SOCIETY sought a declaration in the Society Declaratory Actions that it did not owe insurance coverage to TEMPLETON with respect to the McNair Lawsuit, the Aliano/Fratelli Lawsuit, the Townsend/Seils Lawsuit, and the claims alleged in said lawsuits.

(3) It is stipulated and agreed that no coverage exists for TEMPLETON with respect to the McNair Lawsuit, the Aliano/Fratelli Lawsuit, the Townsend/Seils Lawsuit, and the claims alleged in said lawsuits under the insurance policies issued by SOCIETY to TEMPLETON.

(4) TEMPLETON withdraws any claim for insurance coverage from SOCIETY with respect to the McNair Lawsuit, the Aliano/Fratelli Lawsuit, the Townsend/Seils Lawsuit, and the claims alleged in said lawsuits.

(5) It is stipulated and agreed that SOCIETY has no duty to defend and/or indemnify TEMPLETON with respect to the McNair Lawsuit, the Aliano/Fratelli Lawsuit, the Townsend/Seils Lawsuit, and the claims alleged in said lawsuits.

(6) SOCIETY will dismiss with prejudice, *instanter*, the Cook County Declaratory Action and the Iowa Declaratory Action with the parties to bear their own costs.

**Society Insurance**

By: \_\_\_\_\_

Michael D. Sanders, Esq.  
PURCELL & WARDROPE, CHTD.  
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Chicago, IL 60603

**Templeton Rye Spirits, LLC**

By: \_\_\_\_\_

Thomas J. Cunningham, Esq.  
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