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JS-6

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**McCARTHY & HOLTHUS, LLP**  
ATTORNEYS AT LAW  
1770 FOURTH AVENUE  
SAN DIEGO, CALIFORNIA 92101  
TELEPHONE (619) 685-4800 FACSIMILE (619) 685-4811

THE BANK OF NEW YORK  
MELLON F/K/A THE BANK OF NEW  
YORK AS SUCCESSOR IN  
INTEREST TO JP MORGAN CHASE  
BANK, N.A., AS TRUSTEE FOR  
CREDIT SUISSE FIRST BOSTON  
MORTGAGE SECURITIES CORP.,  
MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2004-CF1,

Plaintiff,

v.

TOM D. SOUMAS, JR., AS CO-  
TRUSTEE OF THE TOM AND  
BARBARA SOUMAS FAMILY  
TRUST;  
BARBARA L. SOUMAS, AS CO-  
TRUSTEE OF THE TOM AND  
BARBARA SOUMAS FAMILY  
TRUST;  
NARAX, INC.;  
FREDERICK BARAK;  
MCCOLGAN AND VANNI;  
UNITED STATES INTERNAL  
REVENUE SERVICE;  
STATE OF CALIFORNIA  
FRANCHISE TAX BOARD; and  
DOES 1-100, inclusive,

Defendants.

Case No. 2:16-cv-06271-MWF (JEMx)  
Hon. Michael S. Fitzgerald

**ORDER GRANTING  
STIPULATION FOR DISMISSAL  
WITHOUT PREJUDICE**

Complaint Filed: July 20, 2016  
Trial Date: None Set

1 Pursuant to the stipulation of Plaintiff The Bank of New York Mellon F/K/A  
2 The Bank of New York as Successor in Interest to JP Morgan Chase Bank, N.A., as  
3 Trustee for Credit Suisse First Boston Mortgage Securities Corp., Mortgage Pass  
4 Through Certificates, Series 2004-CF1 ("Plaintiff"), Defendant United States of  
5 America, Defendant and Cross-Complainant Tom D. Soumas, Jr., and Defendant  
6 and Cross-Complainant Barbara L. Soumas, and for good cause shown, the Court  
7 hereby dismisses Plaintiff's entire complaint against the defendants as captioned  
8 above, including all causes of actions alleged therein, without prejudice; and orders  
9 all parties to bear their own attorneys' fees and costs

10 IT IS SO ORDERED.



11 Dated: October 17, 2016

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12 Hon. Michael S. Fitzgerald  
13 United States District Judge  
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