

1 Jeffrey S. Gerardo #146508
 Steven M. Dailey #163857
 2 KUTAK ROCK LLP
 5 Park Plaza, Suite 1500
 3 Irvine, CA 92614-8595
 Telephone: (949) 417-0999
 4 Facsimile: (949) 417-5394
 Email: jeffrey.gerardo@kutakrock.com
 5 Email: steven.dailey@kutakrock.com

6 Attorneys for Defendant
 7 WELLS FARGO BANK, N.A. DBA AMERICA’S
 8 SERVICING COMPANY [sued both as “WELLS
 9 FARGO BANK, N.A. DBA AMERICA’S
 SERVICING COMPANY” and “WELLS FARGO
 HOME MORTGAGE”]

10 **UNITED STATES DISTRICT COURT**
 11 **CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION**

12 SHERMAN G. DAVIS, an individual;
 13 NICOLE D. DAVIS, an individual,

14 Plaintiffs,

15 v.

16 CMG MORTGAGE, INC., a California
 Corporation; BANK OF AMERICA,
 17 N.A.; WELLS FARGO BANK, N.A.
 DBA AMERICA’S SERVICING
 18 COMPANY; NDEX WEST, LLC, a
 California Limited Liability
 19 Corporation; and all persons or entities
 unknown claiming any legal or
 20 equitable right, title, estate, lien or
 interest in the Property described in this
 21 Complaint adverse to Plaintiffs’ title
 thereto, and DOES 1 through 25,
 22 inclusive,

23 Defendants.

Case No. 8:12-cv-01618-AG-CW

Assigned to:
 Hon. Andrew Guilford
 Courtroom 10D

Assigned Discovery:
 Magistrate Judge Carla Woehrle

**FINAL JUDGMENT OF
 DISMISSAL**

Complaint filed: August 13, 2012

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 25 In the action, Plaintiffs named as Defendants CMG MORTGAGE, INC.
 26 [“CMG”], BANK OF AMERICA, N.A. [“BOFA”], NDEX WEST, LLC
 27 [“NDEX”] and WELLS FARGO BANK, N.A. DBA AMERICA’S SERVICING
 28 COMPANY [“WELLS FARGO”]. On February 2, 2013, the Court issued its

1 Orders dismissing CMG and BOFA based on a Stipulation entered into between the
2 parties. On April 10, 2013, the Court issued its Order approving the Stipulation of
3 Non-Monetary Status of NDeX. In the Stipulation, NDeX agreed to be bound by
4 any judgment entered into regarding WELLS FARGO. On May 6, 2013, the Court
5 granted WELLS FARGO's Motion to Dismiss Plaintiffs' Second Amended
6 Complaint without leave to amend.

7 Therefore, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that
8 the above-entitled action be, and hereby is Dismissed, with prejudice, as to WELLS
9 FARGO and that a Judgment of Dismissal be entered in favor of WELLS FARGO
10 and against Plaintiffs. Based on said judgment, Plaintiffs shall take nothing by way
11 of the Second Amended Complaint against WELLS FARGO.

12 **SO ORDERED.**



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14 Date: May 28, 2013

HONORABLE ANDREW GUILFORD
U. S. DISTRICT COURT JUDGE

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16 Respectfully submitted:
17 KUTAK ROCK LLP

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19 By: /s/ Steven M. Dailey
20 Jeffrey S. Gerardo
21 Steven M. Dailey
22 Attorneys for Defendants
23 WELLS FARGO BANK, N.A., dba AMERICA'S
24 SERVICING COMPANY
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