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9 **UNITED STATES DISTRICT COURT**
 10 **EASTERN DISTRICT OF CALIFORNIA**

11 LEONEL RODRIGUEZ and MARIA DEL
 12 CARMEN SOTO,

Plaintiffs,

v.

15 COUNTRYWIDE HOME LOANS, a New
 16 York Corporation; LITTON LOAN
 17 SERVICING LP, a Delaware Limited
 18 Partnership; MORTGAGE ELECTRONIC
 19 REGISTRATION SYSTEM, INC., a
 20 business organization form unknown; and
 21 DOES 1-100, inclusive,

CASWELL BELL & HILLISON LLP

Defendants.

Case No. CV F 08-0869 DLB

**REQUEST FOR DISMISSAL OF
 PARTY AND ORDER THEREON**

22 Plaintiffs Leonel Rodriguez and Maria del Carmen Soto hereby request that a
 23 dismissal with prejudice be entered as to defendants Litton Loan Servicing, LP, and
 24 Mortgage Electronic Registration Systems, Inc., pursuant to Federal Rules of Civil
 25 Procedure, Rule 41(a)(2). In support thereof, plaintiffs represent as follows:

26 1. A Complaint was filed by plaintiffs against defendants in Fresno County
 27 Superior Court, Case No. 08 CECG 01668, on May 13, 2008.

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1 2. On June 18, 2009, defendants removed the case to this Court pursuant to 28
2 U.S.C. § 1441(b).

3 3. On or about September 21, 2009, plaintiffs reached a settlement in this
4 matter with Litton Loan Servicing, LP, and Mortgage Electronic Registration Systems,
5 Inc., which resolved all issues between plaintiffs, Litton Loan Servicing, LP, and
6 Mortgage Electronic Registration Systems, Inc.

7 4. All terms of the settlement have been performed by Litton Loan Servicing,
8 LP, and Mortgage Electronic Registration Systems, Inc., including payment of settlement
9 proceeds and a request to credit reporting agencies to remove negative references from
10 plaintiffs' credit.

11 5. The issues in the lawsuit have been resolved as to Litton Loan Servicing,
12 LP, and Mortgage Electronic Registration Systems, Inc. Accordingly, plaintiffs
13 respectfully request that the Court enter an order dismissing this lawsuit as to Litton Loan
14 Servicing, LP, and Mortgage Electronic Registration Systems, Inc., with prejudice, with
15 each party to bear its own fees and costs.

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17 DATED: November 5, 2009.

CASWELL BELL & HILLISON LLP

~~CASWELL BELL & HILLISON LLP~~

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19 By: /s/ Kimberly L. Mayhew
20 Kimberly L. Mayhew
21 Attorneys for Plaintiffs
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ORDER

IT IS ORDERED that a dismissal with prejudice shall be entered as to Litton Loan Servicing, LP, and Mortgage Electronic Registration Systems, Inc., pursuant to Federal Rules of Civil Procedure, Rule 41(a)(2). The parties shall bear their own fees and costs. Said dismissal shall be effective sixty (60) days after the date of this order, unless any party shall have filed an objection to the dismissal, in which event the request for dismissal shall be heard upon notice to all parties.

IT IS SO ORDERED.

Dated: November 9, 2009

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

CASWELL BEHN & HILLISON LLP