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 11 **UNITED STATES DISTRICT COURT**  
 12 **EASTERN DISTRICT OF CALIFORNIA**

13 LEONEL RODRIGUEZ and MARIA DEL  
 14 CARMEN SOTO,

15 Plaintiffs,

16 v.

17 COUNTRYWIDE HOME LOANS, a New  
 18 York Corporation; LITTON LOAN  
 19 SERVICING LP, a Delaware Limited  
 20 Partnership; MORTGAGE ELECTRONIC  
 21 REGISTRATION SYSTEM, INC., a  
 22 business organization form unknown; and  
 23 DOES 1-100, inclusive,  
 24 CASWELL BELL & HILLISON LLP

25 Defendants.

Case No. CV F 08-0869 DLB

**REQUEST FOR DISMISSAL OF  
 THIRD CAUSE OF ACTION AND  
 FOURTH CAUSE OF ACTION;  
 ORDER THEREON**

26 Plaintiffs Leonel Rodriguez and Maria del Carmen Soto hereby request that a  
 27 dismissal with prejudice be entered as to the Third Cause of Action (Wrongful  
 28 Foreclosure) and the Fourth Cause of Action (Violation of California Bus. & Prof. Code  
 §17200, et seq.), pursuant to Federal Rules of Civil Procedure, Rule 41(a)(2). In support  
 thereof, plaintiffs represent as follows:

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

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

3           3.       Plaintiffs request that this Court dismiss the Third Cause of Action for  
4 Wrongful Foreclosure and the Fourth Cause of Action for Violation of California Bus. &  
5 Prof. Code §17200, et seq., with prejudice.

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7 DATED: November 13, 2009.

CASWELL BELL & HILLISON LLP

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9 By:           /s/ Kimberly L. Mayhew            
10 Kimberly L. Mayhew  
11 Attorneys for Plaintiffs

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**ORDER**

IT IS ORDERED that a dismissal with prejudice shall be entered as to the Third Cause of Action (Wrongful Foreclosure) and the Fourth Cause of Action (Violation of California Bus. & Prof. Code §17200, et seq.).

IT IS SO ORDERED.

**Dated: November 16, 2009**

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE

CASWELL BELL & HILLISON LLP