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6 Attorneys for United States of America

7  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA  
 10

11 UNITED STATES OF AMERICA,  
 12 Plaintiff,  
 13 v.  
 14 39.77 ACRES OF LAND, MORE OR LESS,  
 SITUATE IN TULARE COUNTY, STATE OF  
 15 CALIFORNIA; RANDALL L. CARROLL,  
 TRUSTEE UNDER THE RANDALL L.  
 16 CARROLL SEPARATE PROPERTY TRUST;  
 ROSEDALE WATER COMPANY, A  
 17 CALIFORNIA CORPORATION; SUCCESS  
 DEVELOPMENT COMPANY, A CALIFORNIA  
 18 CORPORATION; JOYCE D. TZUGARIS AKA  
 JOYCE D. KING AKA J.D. TZUGARIS AKA J.D.  
 19 KING; CARL ADAIR BROWN AKA C. ADAIR  
 BROWN; BARBARA J. BROWN; SUCCESS  
 20 MUTUAL WATER COMPANY, A CALIFORNIA  
 CORPORATION; SUCCESS PROPERTIES, A  
 21 JOINT VENTURE OF J. RAND OLSON AKA  
 RAND OLSON AKA RAND J. OLSON AKA  
 22 RAND JON OLSON AKA J.R. OLSON, KEITH D.  
 OLSON AND C. ADAIR BROWN; CHICAGO  
 23 TITLE COMPANY, A CALIFORNIA  
 CORPORATION; HARDING & LEGGETT, INC.;  
 24 MODOC COUNTY TITLE CO., INC.; JAMES L.  
 HOLDEN, TRUSTEE OF THE CHESTER M.  
 25 MASON FAMILY TRUST; JAMES BRADLEY  
 CLARK AKA JAMES B. CLARK; PAULA DEAN  
 26 CLARK AKA PAULA D. CLARK; TULARE  
 COUNTY ESCROW CO.; TULARE COUNTY  
 27 TREASURER AND TAX COLLECTOR; and  
 UNKNOWN OWNERS,  
 28 Defendants.

CASE NO. 1:14-cv-01819  
 STIPULATION OF DISMISSAL OF MODOC  
 COUNTY TITLE CO., INC., BASED UPON  
 DISCLAIMER; ORDER THEREON

1 Defendant MODOC COUNTY TITLE CO., INC. (hereinafter "MODOC COUNTY TITLE")  
2 and Plaintiff the United States of America, submit the following stipulation to the Court for its approval.

3 First, MODOC COUNTY TITLE disclaims interest or estate in the real property interests that  
4 are the subject matter of this federal condemnation action. This disclaimer does not extend to any other  
5 assets held by other parties to this action.

6 Second, MODOC COUNTY TITLE declares pursuant to California Civil Code Section 2924l  
7 (declaration of nonmonetary status) that its sole reason for being named in the action is as trustee on the  
8 underlying deed of trust and that is the only reason it has been named, Further, it is trustee's belief it has  
9 done nothing improper and agrees to be bound by the court judgment.

10 Third, in light of this disclaimer of interest in the subject matter of this action and the declaration  
11 of nonmonetary status, the parties request that MODOC COUNTY TITLE be dismissed as Defendant in  
12 this action, and that any FURTHER service of documents upon MODOC COUNTY TITLE following  
13 service of this Order, is not necessary, and that MODOC COUNTY TITLE may be omitted from the  
14 caption of this case in all subsequent filings with the Court.

15 **Finally, the other parties remain in the case and this dismissal does not close the case file.**

16  
17 BENJAMIN B. WAGNER  
18 United States Attorney

19 Date: 12/16/14

20 By: /s/  
21 LYNN TRINKA ERNCE  
22 Assistant United States Attorney  
23 Attorneys for Plaintiff, United States of America

24 Date: 01/6/15

25 By: /s/  
26 MODOC COUNTY TITLE CO., INC.

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**ORDER**

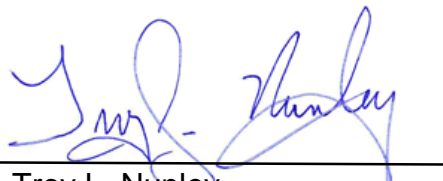
IT IS ORDERED that Defendant MODOC COUNTY TITLE CO., INC. (hereinafter “MODOC COUNTY TITLE”) is dismissed as Defendant in this action. The Clerk of the Court is directed to terminate said Defendant from the Official Docket of this case.

IT IS FURTHER ORDERED that, after this Order is served upon MODOC COUNTY TITLE, no further documents in this case need to be served upon said Defendant.

IT IS FURTHER ORDERED that said MODOC COUNTY TITLE may be omitted from the caption of this case in all future filings.

**IT IS FURTHER ORDERED that other Defendants remain in the case, which is to remain open.**

Dated: January 9, 2015

  
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Troy L. Nunley  
United States District Judge