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10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA

13 United States of America,  
14 Plaintiff,

15 v.

16 Edgard Couri; First American Title  
17 Insurance Company; Wesav Mortgage  
18 Corporation; Wells Fargo Bank, N.A.; GE  
19 Mortgage Services LLC; Kern County;  
State of California Franchise Tax Board;  
20 Defendants.

No. 1:17-CV-00713-DAD-JLT

**[PROPOSED] ORDER APPROVING  
STIPULATION REGARDING DISMISSAL  
OF DEFENDANT FIRST AMERICAN  
TITLE INSURANCE COMPANY AND  
DISCLAIMER OF INTEREST**

**(Doc. 15)**

21 Plaintiff, the United States of America, and Defendant, First American Title Insurance  
22 Company, have jointly filed a Stipulation Regarding Dismissal of Defendant First American Title  
23 Insurance Company and Disclaimer of Interest (Doc. 15) (“Stipulation”) with regard to real  
24 property commonly known as 2709 Pecangrove Drive, Bakersfield, California 93311 (“Subject  
25 Property”).

26 In the stipulation, First American Title Insurance Company disclaims any right, title, or  
27 interest in the Subject Property. (Doc. 15 at 2) Consequently, the parties agree that First  
28

1 American Title Insurance Company should be required to have no further involvement in this  
2 action. Id. at 3. Moreover, the parties agree that each side will bear its own costs and fees except  
3 to the extent that costs are incurred in selling the Subject Property which will be reimbursed from  
4 the proceeds of the sale before satisfying outstanding liens.

5 In consideration of the parties' stipulation and for good cause shown, the Court

6 **ORDERS:**

7 1. First American Title Insurance Company has no interest in the Subject Property.  
8 Consequently, the action **SHALL** be closed as to it. No further pleadings or notices should be  
9 sent to First American Title Insurance Company;

10 2. The stipulation relies upon Rule 41 of the Federal Rules of Civil Procedure which  
11 permits the plaintiff to dismiss an action in part without a court order before parties have  
12 appeared. Therefore, the notice of request for voluntary dismissal filed by the plaintiff  
13 "automatically terminate[s] the action" as to the FTB. Wilson v. City of San Jose, 111 F.3d 688,  
14 692 (9th Cir. 1997). Accordingly, the Clerk of Court is **DIRECTED** to close this action as to  
15 **First American Title Insurance Company only.**

16  
17 IT IS SO ORDERED.

18 Dated: July 25, 2017

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE