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8 IN THE UNITED STATES DISTRICT COURT FOR THE

9 EASTERN DISTRICT OF CALIFORNIA

10 SACRAMENTO DIVISION

11 UNITED STATES OF AMERICA,)
) Civil No. 08-cv-02073-JAM-KJM
 12 Plaintiff,)
)
 13 v.) **STIPULATION AND REQUEST FOR**
) **ORDER DISMISSING THE STATE OF**
 14 STEPHEN R. LA PERLE, STATE OF) **CALIFORNIA DEPARTMENT OF**
) **VETERANS AFFAIRS**
 15 CALIFORNIA DEPARTMENT OF)
)
 16 LA PERLE AKA ALICE LINN K-LOPEZ,)
)
 17 Defendants.)

18 The United States of America and the State of California Department of Veterans Affairs
 19 (“the Department of Veterans Affairs”), by counsel undersigned, hereby stipulate and agree as
 20 follows:

21 1. The property located at 7648 Pine Valley Drive, Sacramento, California 95828
 22 (herein referred to as the "Subject Property"), is situated in the County of Sacramento, State of
 23 California, and is more particularly described as follows:

24 Lot 13, as shown on the “plat of South Woods Unit No. 1,” recorded in Book 123
 25 of Maps, Map no. 7, records of Sacramento County
 26 EXCEPTING THEREFROM, all minerals, oil, gas, and other hydrocarbon
 substances lying below a depth of 500 feet from the surface of said land without
 the right of surface entry, as reserved in the deed recorded July 27, 1978, in Book
 78-07-27 of the Official Records, at page 908.

27 2. The United States claims that federal tax liens, which are identified in the
 28 Complaint in the above-captioned matter, encumber the Subject Property. The first of these

1 federal tax liens arose on September 14, 1998.

2 3. By a Grant Deed, recorded October 24, 1984, in the Sacramento County
3 Recorder's Office, Larry and Karen Breuninger conveyed the Subject Property to Stephen R. La
4 Perle and Alice La Perle, as husband and wife.

5 4. By Grant Deed, recorded August 14, 1985, in the Sacramento County Recorder's
6 Office, the La Perles conveyed the Subject Property to the Department of Veterans Affairs.
7 Then, by an Agreement of Sale also recorded on August 14, 1984, in the Sacramento County
8 Recorder's Office, Stephen La Perle and the Department of Veterans Affairs entered into a
9 contract land sale whereby Mr. La Perle purchased the property from the Department of Veterans
10 Affairs.

11 5. Since the filing of this action, the amount due and owing on the contract land
12 sale referred to in Paragraph 4 has been paid in full. Thus, the Department of Veterans Affairs no
13 longer has an interest in the Subject Property.

14 6. On July 14, 2009, the Department of Veterans Affairs recorded a reconveyance of
15 the Subject Property to Stephen La Perle with the Sacramento County Recorder's Office.

16 7. The Department of Veterans Affairs hereby disclaims any interest in the Subject
17 Property.

18 8. As the Department of Veterans Affairs has no interest in the property that is the
19 subject of this suit, the Department of Veterans Affairs and the United States hereby agree to
20 dismiss this action against the Department of Veterans Affairs.

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1 The parties so agree and request an order confirming the foregoing.

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3 LAWRENCE G. BROWN
United States Attorney

4 Dated: July 23, 2009

5 /s/ Adair F. Boroughs
6 ADAIR BOROUGHS
7 Trial Attorneys, Tax Division
8 U.S. Department of Justice
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12 Dated: July 22, 2009

13 /s/ Robert D. Wilson (as authorized on 7/22/09)
14 ROBERT D. WILSON
15 Deputy Secretary/Chief Counsel
16 1227 "O" Street, Room 306
17 Sacramento, CA 95814

18 Attorneys for California Department of
19 Veterans Affairs

20 **IT IS SO ORDERED.**

21 DATED this 23rd day of July, 2009.

22 /s/ John A. Mendez
23 JOHN A. MENDEZ
24 U.S. District Court Judge