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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WESTERN SURETY COMPANY a South Dakota corporation,) Case No. 2:08-CV-02718-MCE-DAD
Plaintiff,) Assigned to Hon. Morrison C. England, Jr.
v.)
AUTO AMERICA, INC., a California corporation; MOCTEZUMA TOVAR, an individual; PENELEYU TOVAR, an individual; WACHOVIA DEALER SERVICES, INC., a California corporation; TRUCK CITY AUTO SALES, INC., a California corporation; FIRESIDE BANK, a California corporation; LOBEL FINANCIAL CORPORATION, a California corporation; YOLO FEDERAL CREDIT UNION, a business entity, form unknown; CALIFORNIA DEPARTMENT OF MOTOR VEHICLES, a California state agency; and DOES 1-100, inclusive,) **ORDER GRANTING STIPULATION FOR RELEASE OF FUNDS AND DISMISSAL**
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1 **IT IS HEREBY ORDERED** that the Clerk of the Court shall disburse the balance of the Bond
2 now deposited with this Court as follows:

- 3 1. \$ 12,347.50 payable to Western Surety Company.
- 4 2. \$ 5,048.00 payable to the California Department of Motor Vehicles.
- 5 3. \$ 3,200.00 payable to Alicia Zapata.
- 6 4. \$ 4,057.84 payable to Fireside Bank.
- 7 5. \$ 5,028.16 payable to Wachovia Dealer Services.
- 8 6. \$ 3,263.89 payable to Lobel Financial Corporation.
- 9 7. \$ 17,054.61 payable to Truck City Auto Sales, Inc.

10 **FURTHER, IT IS HEREBY ORDERED** that the interest accrued on the balance of the Bond now
11 deposited with the Court shall be disbursed evenly amongst Fireside Bank; Wachovia Dealer Services; Lobel
12 Financial Corporation; Truck City Auto Sales, Inc.; and Alicia Zapata.

13 **FURTHER, IT IS HEREBY ORDERED** that this Order is issued sole as to the interpleader cause
14 of action. As such, nothing in this Order shall affect any of Western Surety Company's additional claims
15 against AUTO AMERICA, INC., or its principals, including but not limited to, the second through seventh
16 causes of action alleged in the Complaint.

17 **FURTHER, IT IS HEREBY ORDERED** that WESTERN SURETY COMPANY is discharged
18 from further liability on the Dealer Surety Bond # 70194010 filed on behalf of AUTO AMERICA, INC.,
19 and is hereby exonerated.

20 Disbursement checks shall be mailed care of each party's attorney of record. Upon disbursal,
21 Plaintiff's First Cause of Action in Interpleader shall be dismissed with prejudice.

22 Dated: June 22, 2010

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24 MORRISON C. ENGLAND, JR.
25 UNITED STATES DISTRICT JUDGE