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10 Attorneys for FIRESIDE BANK, a California corporation

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

13 WESTERN SURETY COMPANY a South
14 Dakota corporation,

15 Plaintiff,

16 v.

17 AUTO AMERICA, INC., a California
18 corporation; MOCTEZUMA TOVAR, an
19 individual; PENELEUY TOVAR, an
20 individual; WACHOVIA DEALER SERVICES,
21 INC., a California corporation; TRUCK CITY
22 AUTO SALES, INC., a California corporation;
23 FIRESIDE BANK, a California corporation;
24 LOBEL FINANCIAL CORPORATION, a
25 California corporation; YOLO FEDERAL
26 CREDIT UNION, a business entity, form
27 unknown; CALIFORNIA DEPARTMENT OF
28 MOTOR VEHICLES, a California state agency;
and DOES 1-100, inclusive,

Defendants.

) Case No. 2:08-CV-02718-MCE-DAD
) Assigned to Hon. Morrison C. England, Jr.
)

) **ORDER GRANTING STIPULATION FOR**
) **RELEASE OF FUNDS AND DISMISSAL**
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IT IS HEREBY ORDERED that the Clerk of the Court shall disburse the balance of the Bond now deposited with this Court as follows:

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


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

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

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

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

Dated: June 22, 2010


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE