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5 Attorneys for Plaintiff  
 6 ING BANK, FSB

8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

10 ING BANK, FSB,  
 11 Plaintiff,  
 12 v.  
 13 RAMON P. FAZAH, AN INDIVIDUAL,  
 14 Defendant.

Case No. CV 09-1174-WBS-EFB

**STIPULATION AND REQUEST FOR  
 DISMISSAL WITH PREJUDICE AND  
 [PROPOSED] ORDER DISMISSING  
 ACTION WITH PREJUDICE**

Judge: William B. Shubb  
 First Amended Complaint Filed: 4/9/2009

16 TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

17 PLEASE TAKE NOTICE that Plaintiff ING Bank, FSB (“ING”) and Defendant Ramon P.  
 18 Fazah hereby stipulate and agree that ING is authorized to make this request for dismissal of its First  
 19 Amended Complaint and this entire action with prejudice as to all parties. All parties to bear their  
 20 own costs and attorneys’ fees, respectively.

21 Dated: September 9, 2011

**DUANE MORRIS LLP**

23 By:  /s/   
 Terrance J. Evans  
 Attorneys for Plaintiff ING BANK, FSB

26 By:  /s/   
 Defendant Ramon P. Fazah

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**ORDER**

IT IS HEREBY ORDERED that the First Amended Complaint of Plaintiff ING Bank, FSB and this entire action, USDC Case No. CV 09-1174-WBS-EFB, is hereby dismissed with prejudice as to all parties. All parties will bear their own costs and attorneys' fees, respectively.

Dated: September 19, 2011



WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE