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6 Attorneys for Defendant THE FEDERAL DEPOSIT
 INSURANCE CORPORATION, as Receiver for
 INDYMAC BANK, F.S.B. and INDYMAC FEDERAL BANK, F.S.B.
 7

8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 DONALD SANCHEZ,)	Case No. 2:09-CV-01186-MCE-GGH
)	
11 Plaintiff,)	
)	STIPULATION OF DISMISSAL; ORDER
12 vs.)	
)	
13 INDYMAC BANK, F.S.B.; INDYMAC)	
14 FEDERAL BANK, F.S.B. in its separate)	Complaint Filed: 04/30/09
capacity and as successor to INDYMAC)	Trial Date: None
15 BANK; F.S.B.; WINDSOR CAPITOL)	
MORTGAGE CORPORATION, a)	
16 California corporation, doing business as)	
NORTH POINT LENDING &)	
17 INVESTMENTS; LINDA TEMKO;)	
BARBARA CIULLO; JEFF B.)	
18 McGREGOR; RONNY EARLY; FIRST)	
PRIORITY FINANCIAL INC., dba North)	
19 Point Lending & Investments; DAVID)	
MICHAEL SOLDATI; and DOES 1-20)	
20 inclusive,)	
)	
21 Defendants.)	

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23 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and by reason of the parties
 24 meeting and conferring on the terms below, plaintiff DONALD SANCHEZ and defendant THE
 25 FEDERAL DEPOSIT INSURANCE CORPORATION, as Receiver for INDYMAC BANK,
 26 F.S.B. and INDYMAC FEDERAL BANK, F.S.B. (“FDIC-Receiver”), by and through their
 27 counsel of record, hereby stipulate that the FDIC-Receiver is dismissed without prejudice from
 28 the above-captioned action. Each side will bear their own fees and costs incurred in this action.

1 **IT IS SO STIPULATED**

2 Dated: April 22, 2010

LAW OFFICES OF MICHAEL J. ZINICOLA

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By: _____/s/_____

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MICHAEL J. ZINICOLA
Attorney for Plaintiff DONALD SANCHEZ

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8 Dated: April 26, 2010

LIVINGSTON LAW FIRM, P.C.

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By: _____/s/_____

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JASON G. GONG
Attorney for Defendant THE FEDERAL DEPOSIT
INSURANCE CORPORATION, as Receiver for
INDYMAC BANK, F.S.B. and INDYMAC FEDERAL
BANK, F.S.B.

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ORDER

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Having reviewed the parties' stipulation and good cause appearing, the Court orders that
18 the FDIC-Receiver is hereby dismissed without prejudice from this action. The parties being
19 dismissed will bear their own attorney's fees and costs incurred in this action.

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IT IS SO ORDERED.

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22 Dated: April 27, 2010

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MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE

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