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6 Attorneys for Defendant,
 7 WACHOVIA MORTGAGE, FSB, formerly
 8 known as WORLD SAVINGS BANK, FSB,
 9 erroneously named as Wachovia Mortgage
 10 and World Savings Bank (“Wachovia”)

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14 Attorney for Plaintiffs,
 15 STEVE LOPEZ and CARMEN LOPEZ

16 UNITED STATES DISTRICT COURT
 17 EASTERN DISTRICT OF CALIFORNIA - SACRAMENTO

19 STEVE LOPEZ and CARMEN LOPEZ,) Case No. 2:09-CV-01510-JAM-DAD
)
20 Plaintiffs,) [Assigned to the Hon. John A. Mendez, Ctrm.
) 6, for all purposes]
21 vs.)
)
22 WACHOVIA MORTGAGE; WORLD) STIPULATION TO DISMISS ACTION
23 SAVINGS BANK; COMSTOCK) WITH PREJUDICE AS TO
24 MORTGAGE; DAVID MENDOZA;) DEFENDANT WACHOVIA PURSUANT
25 ADRIAN DEL RIO and DOES 1-20 inclusive,) TO FRCP 41(a)(2)
)
26 Defendants.)

27 Pursuant to Federal Rule of Civil Procedure 41(a)(2), plaintiffs Steve Lopez and Carmen
 28 Lopez and defendant Wachovia Mortgage, FSB, formerly known as World Savings Bank, FSB, by

1 their counsel of record (“Wachovia”), stipulate to dismiss the above-captioned action with
2 prejudice as to defendant Wachovia only. Plaintiffs Steve Lopez and Carmen Lopez and Defendant
3 Wachovia will each bear their own costs and attorneys’ fees. The parties consent to entry of
4 judgment in accordance with the terms of this stipulation.

5 IT IS SO STIPULATED.

LANAHAN & REILLEY, LLP

6
7 Dated: September 3, 2010

By: /s/Michael J.M. Brook
Michael J.M. Brook
rnbrook@lanahan.com
Attorneys for Plaintiffs,
Steve Lopez and Carmen Lopez

8
9
10 Dated: September 3, 2010

ANGLIN, FLEWELLING, RASMUSSEN,
CAMPBELL & TRYTTEN LLP

11
12 By: /s/Jeremy E. Shulman
Jeremy E. Shulman
jshulman@afrc.com
Attorneys for Defendant,
Wachovia Mortgage, FSB, formerly known as World
13 Savings Bank, FSB, and sued here as “Wachovia
14 Mortgage and World Savings Bank”
15

16 ATTESTATION

17
18 I, Jeremy E. Shulman, attest that concurrence in the filing of this document has been
19 obtained from each of the signatories. I declare under penalty of perjury under the laws of the
United States of America that the foregoing is true and correct. Executed on September 3, 2010,
at Pasadena, California.

20 /s/Jeremy E. Shulman

21 **ORDER ON STIPULATION**

22 Having read and filed the foregoing Stipulation, and good cause appearing:

23 IT IS ORDERED:

- 24 1. Defendant Wachovia is dismissed from this action, without prejudice; and
25 2. Plaintiffs Steve Lopez and Carmen Lopez and Defendant Wachovia will each bear
26 their own costs and fees.

27 Dated: September 8, 2010

/s/ John A. Mendez
HON. JOHN A. MENDEZ
UNITED STATES DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I
3 am employed in the city of Pasadena, California; my business address is Anglin, Flewelling,
4 Rasmussen, Campbell & Trytten LLP, 199 S. Los Robles Avenue, Suite 600, Pasadena,
California 91101-2459.

5 On the date below I served a copy of the following document(s):

6 **STIPULATION TO DISMISS ACTION WITH PREJUDICE AS TO DEFENDANT**
7 **WACHOVIA PURSUANT TO FRCP 41(a)(2)**

8 on all interested parties in said case as follows:

9 **Served Electronically via Court’s CM/ECF System:**

10 *Attorney for Plaintiffs*

11
12 Michael J.M. Brook, Esq.
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10 *Attorney for Defendants*

11 *Comstock Mortgage, David Mendoza and*
12 *Adrian Del Rio*

13 Glenn W. Peterson, Esq.
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18
19 I declare under penalty of perjury under the laws of the United States of America that the
20 foregoing is true and correct. I declare that I am employed in the office of a member of the Bar
21 of this Court at whose direction the service was made. This declaration is executed in Pasadena,
California, on **September 3, 2010**.

22
23 Wendy Mutum
24 (Type or Print Name)

(Signature of Declarant)