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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN and DIANNE STONE,
Plaintiffs,

No. 2:09-cv-02394-MCE-EFB

v.

ORDER

INDYMAC FSB, et al.,
Defendants.

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Defendant Federal Deposit Insurance Corporation, as Receiver for Indymac Federal Bank FSB ("FDIC" or "Defendant") filed an Objection (ECF No. 61) to the Declaration of Sharon Lapin regarding future filings against the FDIC (ECF No. 60). Ms. Lapin's Declaration was filed in response to this Court's Order requiring her to file a notice under penalty of perjury to declare that "there will be no further filings of any cases against the FDIC as receiver or IndyMac." (Hr. Tr, ECF No. 62, at 12.)

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1 As Defendant highlights in their objection, Ms. Lapin's
2 declaration merely states that she agrees to refrain from filing
3 any actions against the FDIC "as Receiver for IndyMac Federal
4 Bank, FSB." (ECF No. 60, at 1.) She makes no mention of
5 refraining from filing actions against IndyMac Federal Bank, FSB
6 ("IndyMac") itself. Therefore, Defendant's Objection is
7 SUSTAINED. Ms. Lapin is ordered to file an Amended Declaration,
8 clarifying that she will refrain from filing actions against the
9 FDIC as Receiver for IndyMac, and IndyMac. Ms. Lapin is ordered
10 to file the Amended Declaration within ten (10) days this Order
11 is electronically filed.

12 Defendant also objects that Ms. Lapin's declaration states
13 that she will only refrain from filing actions against the above
14 parties in the Eastern District of California. Defendant
15 contends that Ms. Lapin was ordered to refrain from filing
16 actions in state and federal court against the FDIC and IndyMac.
17 The Court declines to extend its order to any court other than
18 the Eastern District of California, therefore, Defendant's
19 Objection is OVERRULED.

20 In light of above and the resolution of any outstanding
21 issues at the September 30, 2010 hearing, this case is DISMISSED
22 *nunc pro tunc*. The Clerk is directed to close the case.

23 IT IS SO ORDERED.

24 Dated: October 14, 2010

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26 MORRISON C. ENGLAND, JR.
27 UNITED STATES DISTRICT JUDGE
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