

1 TRIAL & TECHNOLOGY LAW GROUP  
 A PROFESSIONAL CORPORATION  
 2 ROBERT A. SPANNER SBN 60308  
 SUSAN KALRA SBN 167940  
 3 3723 HAVEN AVENUE, SUITE 132  
 MENLO PARK, CA 94025  
 4 PHONE: (650) 324-2223  
 FAX: (650) 324-0178  
 5 email - ras@techtriallaw.com  
 sqk@techtriallaw.com  
 6 Attorney for Plaintiff  
 DIANA RIOS

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**

10 DIANA A. RIOS,

CASE NO. 09-CV-02447 MCE KJN

11 Plaintiff,

**STIPULATION AND ORDER RE  
 PLAINTIFF'S VOLUNTARY  
 DISMISSAL OF DEFENDANTS EMC  
 MORTGAGE CORPORATION, WELLS  
 FARGO BANK, N.A., MORTGAGE  
 ELECTRONIC REGISTRATION  
 SYSTEMS, INC. AND JP MORGAN  
 CHASE BANK**

12 v.

13 EMC MORTGAGE CORPORATION, *et al.*,

14 Defendants.

(F.R. Civ. P. 41(a)(1)(A)(ii))

15  
 16 Plaintiff DIANA RIOS and Defendants EMC MORTGAGE CORPORATION, WELLS  
 17 FARGO BANK, N.A., MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. and  
 18 JP MORGAN CHASE BANK, N.A., by and through their respective counsel, hereby stipulate  
 19 and agree that the above-captioned action is voluntarily dismissed without prejudice against the  
 20 foregoing Defendants, pursuant to F.R. Civ. P. 41(a)(1)(A)(ii).  
 21

22 This Stipulation is being filed with the Court before service by any defendant of an  
 answer or a motion for summary judgment.

23 Dated: February 24, 2010

24 TRIAL & TECHNOLOGY LAW GROUP  
 A Professional Corporation  
 Attorneys for Plaintiff  
 DIANA RIOS

26 By: /s/ Susan Kalra

1 Dated: February 24, 2010

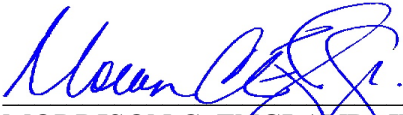
ADORNO YOSS ALVARADO & SMITH  
A Professional Corporation  
Attorneys for Defendants  
EMC MORTGAGE CORPORATION, WELLS FARGO  
BANK, N.A., AS TRUSTEE FOR THE CERTIFICATE  
HOLDERS OF STRUCTURED ASSET MORTGAGE  
INVESTMENTS II, INC., GREENPOINT MTA TRUST  
2005-AR5, MORTGAGE PASSTHROUGH  
CERTIFICATES, SERIES 2005-AR5 erroneously sued as  
WELLS FARGO BANK NA, JPMORGAN CHASE  
BANK, N.A., erroneously sued as JP MORGAN CHASE,  
and MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC

By: /s/ S. Christopher Yoo

11 **ORDER**

12 Pursuant to stipulation, IT IS SO ORDERED. As there are no Defendants remaining in  
13 the case, the Clerk is directed to close the file.

15 Dated: February 26, 2010

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE