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

10
 11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 34,196 RENTABLE SQUARE FEET,
 15 MORE OR LESS, AT 3870 ROSIN COURT,
 16 SACRAMENTO, ET AL.,
 Defendants.

CASE NO. 2:11-cv-03467 KJM GGH
 STIPULATION OF DISMISSAL OF
 DEFENDANT BANK OF AMERICA,
 N.A., BASED UPON DISCLAIMER;
 ORDER THEREON

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 18 Defendant BANK OF AMERICA, N.A., a California Corporation, and Plaintiff the United States
 19 of America, submit the following stipulation to the Court for its approval.

20 First, BANK OF AMERICA, N.A. disclaims interest or estate in the real property interests that are
 21 the subject matter of this federal condemnation action. This disclaimer does not extend to any other assets
 22 held by other parties to this action.

23 Second, in light of this disclaimer of interest in the subject matter of this action, the parties request
 24 that BANK OF AMERICA, N.A. be dismissed as Defendant in this action, and that any further service of
 25 documents upon BANK OF AMERICA, N.A. following service of this Order, is not necessary, and that
 26 BANK OF AMERICA, N.A. may be omitted from the caption of this case in all subsequent filings with
 27

28 _____
 Stipulation of Dismissal of Bank of America, N.A; Order.

1 the Court.

2 **Finally, the other parties remain in the case and this dismissal does not close the case file.**

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4 BENJAMIN B. WAGNER
5 United States Attorney

6 Date: August 9, 2012

7 By: /s/ Lynn Trinka Ernce
8 LYNN TRINKA ERNCE
9 Assistant United States Attorney
10 Attorneys for Plaintiff, the United States of America

11 Date: August 9, 2012

12 SEVERSON & WERSON
13 A Professional Corporation

14 By: /s/ Susan M. Santerelli
15 SUSAN M. SANTERELLI
16 Attorneys for Defendant, Bank of America, N.A.

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Stipulation of Dismissal of Bank of America, N.A; Order.

ORDER

IT IS ORDERED that Defendant BANK OF AMERICA, N.A., a California Corporation, is dismissed as Defendant in this action. The Clerk of the Court is directed to terminate said Defendant from the Official Docket of this case.

IT IS FURTHER ORDERED that, after this Order is served upon BANK OF AMERICA, N.A., no further documents in this case need to be served upon said Defendant.

IT IS FURTHER ORDERED that said BANK OF AMERICA, N.A. may be omitted from the caption of this case in all future filings. **IT IS FURTHER ORDERED that other Defendants remain in the case, which is to remain open.**

Date: August 31, 2012.


UNITED STATES DISTRICT JUDGE