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 5 Attorneys for the United States

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 7  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

10  
 11 UNITED STATES OF AMERICA  
 12 Plaintiff,  
 13 v.  
 14 REAL PROPERTY LOCATED AT 149 G  
 STREET, LINCOLN, CALIFORNIA, PLACER  
 15 COUNTY, APN: 008-266-015-000, INCLUDING  
 ALL APPURTENANCES AND  
 16 IMPROVEMENTS THERETO, et al.,  
 17 Defendants.

2:12-CV-00705-TLN-DAD

STIPULATION AND ORDER FOR  
 DISMISSAL WITH PREJUDICE OF REAL  
 PROPERTY LOCATED AT 10940 FAIR  
 OAKS BOULEVARD, FAIR OAKS,  
 CALIFORNIA; CERTIFICATE OF  
 REASONABLE CAUSE

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 19 It is hereby stipulated by and between the United States of America and claimants Volen  
 20 Properties 7, LLC and U.S. Bank National Association, as Trustee for the Registered Holders of WaMu  
 21 Commercial Mortgage Securities Trust 2007-SL3, Commercial Mortgage Pass-Through Certificates,  
 22 Series 2007-SL3, by and through their respective counsel of record, as follows:

23 1. The pending action against only the real property located at 10940 Fair Oaks Boulevard,  
 24 Fair Oaks, California, Sacramento County, APN: 244-0344-013-0000 (“defendant real property”), shall  
 25 be dismissed with prejudice pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. The  
 26 effective date of the dismissal shall be the date of the foreclosure sale initiated by U.S. Bank National

1 Association, as Trustee<sup>1</sup>.

2 2. The parties are to bear their own costs and attorney fees.

3 3. The parties agree that the Court's receiver for the defendant real property, Brandon Scott,  
4 shall be discharged effective as of the date of the foreclosure sale (as anytime continued/adjourned).  
5 Brandon Scott shall submit his final report within 90 days after the foreclosure sale.

6 4. There was probable cause for the posting of the defendant real property, and for the  
7 commencement and prosecution of this forfeiture action, and the Court may enter a Certificate of  
8 Reasonable Cause pursuant to 28 U.S.C. § 2465.

9 5. The parties agree that, within seven days after entry of this Order, the United States shall  
10 send a Notice of Withdrawal of Lis Pendens for the defendant real property to the county recorder. Upon  
11 request from U.S. Bank National Association, as Trustee, or its successors or assigns (or any of their  
12 respective representatives or agents), the United States shall execute and record additional documents or

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27 <sup>1</sup> U.S. Bank National Association, as Trustee, has initiated foreclosure of its mortgage lien pursuant to California law, and the  
28 foreclosure sale is set to occur December 15, 2014 (such sale may anytime be continued or adjourned and, if the sale is  
continued/adjourned, the effective date of the dismissal hereunder shall be the continued/adjourned sale date).

1 take such other actions as are necessary to remove any remaining cloud on title caused by the recording  
2 of the Notice of Lis Pendens by the United States against the defendant real property.

3 Dated: 12/10/14

BENJAMIN B. WAGNER  
United States Attorney

5 By: /s/ Kevin C. Khasigian  
KEVIN C. KHASIGIAN  
Assistant U.S. Attorney

8 Dated: 12/9/14

/s/ Wesley Hurst  
WESLEY HURST  
Attorney for U.S. Bank National Association

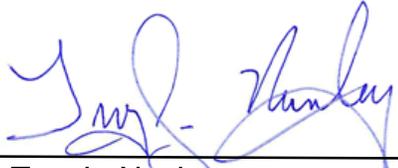
11 Dated: 12/8/14

/s/ Courtney J. Linn  
COURTNEY J. LINN  
Attorney for Volen Properties 7, LLC

(Signatures authorized by email)

15 IT IS SO ORDERED.

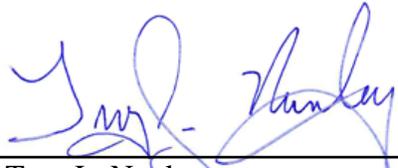
16 Dated: December 18, 2014

  
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Troy L. Nunley  
United States District Judge

19 CERTIFICATE OF REASONABLE CAUSE

20 Based upon the allegations set forth in the Complaint for Forfeiture *In Rem* filed March 20, 2012,  
21 and the Stipulation for Dismissal With Prejudice filed herewith, the Court enters this Certificate of  
22 Reasonable Cause pursuant to 28 U.S.C. § 2465, that there was reasonable cause for the posting of the  
23 defendant real property located at 10940 Fair Oaks Boulevard, Fair Oaks, California, Sacramento  
24 County, APN: 244-0344-013-0000, and for the commencement and prosecution of this forfeiture action.

26 DATED: December 18, 2014

  
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Troy L. Nunley  
United States District Judge