

1 MARK D. LONERGAN (State Bar No. 143622)
 mdl@severson.com
 2 MICHAEL J. STEINER (State Bar No. 112079)
 mjs@severson.com
 3 JONAH VAN ZANDT (State Bar No. 224348)
 jvz@severson.com
 4 SEVERSON & WERSON
 A Professional Corporation
 5 One Embarcadero Center, Suite 2600
 San Francisco, California 94111
 6 Telephone: (415) 398-3344
 Facsimile: (415) 956-0439
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8 Attorneys for Defendants WELLS FARGO &
 COMPANY and WELLS FARGO BANK, N.A.,
 9 d/b/a WELLS FARGO HOME MORTGAGE

10 UNITED STATES DISTRICT COURT
 11 EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION

12 MICHAEL DIPPON, on behalf of himself and
 all others similarly situated,
 13
 Plaintiff,
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 vs.
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 WELLS FARGO & COMPANY and WELLS
 16 FARGO BANK, N.A., d/b/a WELLS FARGO
 HOME MORTGAGE,
 17
 Defendants.

Case No. 2:14-cv-02503-MCE-AC
**STIPULATION OF VOLUNTARY
 DISMISSAL; and ORDER**

19 Plaintiff Michael Dippon (“Plaintiff”) and Wells Fargo Bank, N.A. and Wells Fargo &
 20 Company (together “Defendants”), through their attorneys of record, hereby agree and stipulate as
 21 follows:

22 A. Whereas, this case was commenced by Michael Dippon when he filed his Class
 23 Action Complaint on October 24, 2014, and he later filed his First Amended Class Action
 24 Complaint on January 29, 2015 (the “Complaint.”).

25 B. Whereas, in the Complaint, Plaintiff makes certain allegations against Defendants
 26 relating to Defendants’ lender paid mortgage insurance requirements and practices which
 27 allegations Plaintiff purported to assert both individually and on behalf of a California class of
 28 plaintiffs;

1 C. Whereas, Defendants denied that their actions were wrongful in any respect with
2 regard to Plaintiff and any putative class;

3 D. Whereas, court approval of a settlement, voluntary dismissal or compromise under
4 Federal Rule of Civil Procedure 23(e) is required only for “certified class” actions and the
5 Advisory Committee Notes for Rule 23(e) state that court approval is required only if “the claims,
6 issues, or defenses of a certified class are resolved by a settlement, voluntary dismissal, or
7 compromise,” rejecting the view that court approval is required for settlements “with putative
8 class representatives that resolve[] only individual claims.” See Rule 23 Advisory Committee
9 Notes, 2003 Amendments.

10 E. Whereas, Plaintiff has never brought a motion to certify any class in this case and
11 the Court has never certified any class in this case under Federal Rule of Civil Procedure 23;

12 F. Whereas, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), a plaintiff
13 may dismiss an action by filing a stipulation of dismissal signed by all parties who have appeared;

14 G. Whereas, the parties have reached a settlement of Plaintiff’s individual claims
15 against Defendants in which Plaintiff’s individual claims will be dismissed with prejudice and the
16 members of any putative class will be dismissed without prejudice;

17 **NOW, THEREFORE, THE PARTIES HEREBY STIPULATE THAT:**

18 All of the individual claims and allegations brought by Michael Dippon
19 against Wells Fargo Bank, N.A., d/b/a Wells Fargo Home Mortgage, or
20 Wells Fargo & Company, or any of them, are hereby dismissed with
21 prejudice. All claims and allegations of any putative class members are
22 hereby dismissed without prejudice.

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24 **IT IS SO STIPULATED.**

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26 DATED: July 6, 2015

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28 By: /s/ Michael J. Steiner

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Attorneys for Defendants
WELLS FARGO BANK N.A. and
WELLS FARGO & COMPANY

DATED: July 6, 2015

KERSHAW, CUTTER & RATINOFF


By: /s/ John R. Parker
Attorneys for Plaintiff
MICHAEL DIPPON

ORDER

Pursuant to Rule 23(e) and Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure and the stipulation of the parties, Michael Dippon's individual claims are hereby DISMISSED with prejudice and the claims of the putative class members are hereby DISMISSED without prejudice. The Clerk of the Court is ordered to close this case.

IT IS SO ORDERED.

Dated: July 8, 2015


MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT