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*Attorneys for Plaintiffs the Paskenta Band of Nomlaki Indians
and the Paskenta Enterprises Corporation*

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

**PASKENTA BAND OF NOMLAKE INDIANS;
and PASKENTA ENTERPRISES
CORPORATION,**

Plaintiffs,

v.

INES CROSBY; et al.

Defendants.

Case No. 15-cv-00538-MCE-DMC

**PARTIES' STIPULATION AND
ORDER RE RELEASE OF
UNDERTAKING**

GROSS & KLEIN LLP
THE EMBARCADERO
PIER 9, SUITE 100
SAN FRANCISCO, CA 94111

1 This stipulation is entered into by Plaintiffs the Paskenta Band of Nomlaki Indians and the
2 Paskenta Enterprises Corporation (the “Tribe”) and Defendants Cornerstone Community Bank,
3 Cornerstone Community Bancorp, and Jeffrey Finck (“Cornerstone”); and Umpqua Bank;
4 Umpqua Holdings Corp. (“Umpqua”) (collectively, the “Parties”), by and through their
5 respective counsel:

6 1. WHEREAS, on July 27, 2017, this Court entered its Fee Order awarding
7 attorney’s fees and costs to the Cornerstone, Umpqua, Moore, and APC (Docket Nos. 383, 385,
8 386, and 387). Docket No. 433;

9 2. WHEREAS, on October 19, 2017, this Court entered its Order Staying
10 Enforcement of Fee Award. Pursuant to the Order Staying Enforcement of Fee Award, the Tribe
11 was required to maintain, until further order by the Court following disposition of the Tribe’s
12 appeals, cash and marketable securities worth at least 125% of the fees and costs awarded in a
13 specified investment account, and to serve Cornerstone, Umpqua, Moore, and APC with a
14 quarterly sworn confirmation that the account contained the required amount. Docket No. 448;

15 3. WHEREAS, the Tribe previously brought a “Motion to Release Plaintiff from
16 Obligations Under October 19, 2017 Order (Dkt. No. 448) Staying Enforcement of Fee Award, as
17 Subject Fees and Costs Have Been Paid” (*See* Dkt. No. 543). Cornerstone and Umpqua opposed
18 the Motion—no other Defendant opposed. Cornerstone and Umpqua now agree that all fees and
19 costs owed have been paid in full and do not object to the release of the Tribe’s obligations under
20 the Court’s October 19, 2017 Order.

21 4. WHEREAS, the Tribe has paid in full to the Cornerstone, Umpqua, Moore, and
22 APC all attorney’s fees and costs incurred and awarded by the trial court and the Court of Appeal;

23 5. WHEREAS, the Parties agree that because the fees and costs awarded have been
24 paid to Cornerstone, Umpqua, Moore, and APC, the Order Staying Enforcement of Fee Award is
25 now moot;

26 **IT IS THEREFORE STIPULATED AND AGREED** by the Parties, through the
27 undersigned, that the Tribe is hereby relieve from any further obligations under the Court’s
28 October 19, 2017 Order Staying Enforcement of Fee Award.

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Respectfully submitted,

Dated: March 28, 2022

GROSS & KLEIN LLP

By: /s/ Stuart G. Gross
STUART G. GROSS

*Attorneys for Plaintiffs the Paskenta Band of
Nomlaki Indians and the Paskenta Enterprises
Corporation*

Dated: March 31, 2022

REED SMITH LLP

By: /s/ Kasey Curtis (authorized 3/22/22)
Kasey Curtis

*Attorneys for Defendants Umpqua Bank and
Umpqua Holdings Corporation.*

Dated: March 31, 2022

FRIEDMANN GOLDBERG, LLP

By: /s/ John F. Friedemann (authorized 3/25/22)
John F. Friedemann

*Attorneys for Defendants Cornerstone Community
Bank, Cornerstone Community Bancorp, and Jeffery
Finck*

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ORDER

Pursuant to the Parties' stipulation, Plaintiff Paskenta Band of Nomlaki Indians is hereby relieved from any further obligations under the Court's October 19, 2017 Order Staying Enforcement of Fee Award. Plaintiffs' Motion to Release Plaintiff From Obligations pursuant to said Order (ECF No. 543) is accordingly DENIED as moot.

IT IS SO ORDERED.

Dated: March 31, 2022



MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE

GROSS & KLEIN LLP
THE EMBARCADERO
PIER 9, SUITE 100
SAN FRANCISCO, CA 94111