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16 IN THE UNITED STATES DISTRICT COURT
 17 FOR THE EASTERN DISTRICT OF CALIFORNIA

18 RIBEIRO-SUNGLOW, LLC, a Nevada Limited
 Liability Company; and RIBEIRO CALIFORNIA
 19 II, LLC, a Nevada Limited Liability Company,

20 Plaintiffs,

21 v.

22 UMPQUA BANK, a Bank Organized Under the
 Laws of the State of Oregon,

23 Defendant.
 24

Case No.: 2:15-cv-01853-JAM-AC

**STIPULATION FOR ORDER DISMISSING
 COMPLAINT AND COUNTERCLAIM
 WITH PREJUDICE; ORDER
 [FRCP 41 (a) and (c)]**

THE HONORABLE JOHN A. MENDEZ

25 Plaintiffs RIBEIRO-SUNGLOW, LLC, a Nevada Limited Liability Company, and RIBEIRO
 26 CALIFORNIA II, LLC, a Nevada Limited Liability Company (together, “Plaintiffs”), and defendant
 27 UMPQUA BANK (“Defendant” and “Counterclaimant”), by and through their respective undersigned
 28

1 counsel, respectfully submit the following Stipulation for Order Dismissing Complaint and Counterclaim
2 With Prejudice, pursuant to FRCP 41(a) and (b).

3 WHEREAS, Plaintiffs filed their Complaint in this action to recover from Defendant title to two
4 parcels of real property situated in El Dorado Hills, California (the "Subject Parcels");

5 WHEREAS, Defendant filed a Counterclaim against Plaintiffs and RP2, LLC, a Nevada Limited
6 Liability Company ("RP2") to, *inter alia*, quiet title in Subject Parcels;

7 WHEREAS, Plaintiffs, Defendant and RP2 (the "Parties") have entered into that certain
8 Settlement Agreement and Mutual Release of All Claims dated September 14, 2017 (the "Settlement
9 Agreement"), under the terms of which, Defendant would, subject to certain conditions (the "Settlement
10 Conditions"), deed title to the Subject Parcels to Plaintiffs, and the Parties would release any claims they
11 have against each other pursuant to the Complaint or Cross-Complaint, all as more fully set forth in the
12 Settlement Agreement; and

13 WHEREAS, the Settlement Agreement provided that within ten (10) days after satisfaction of the
14 Settlement Conditions, the Parties and their attorneys shall file mutual stipulations to dismiss the
15 Complaint and Counterclaim, pursuant to FRCP 41; and

16 WHEREAS, the Settlement Conditions were satisfied on September 29, 2017, the Parties now
17 seek an Order dismissing the Complaint and Counterclaim, each with prejudice.

18 Dated: October 5, 2017

BANKS & WATSON

19 By: /s/ James J. Banks
20 JAMES J. BANKS,
21 Attorneys for Plaintiffs RIBEIRO-SUNGLOW,
22 LLC, and RIBEIRO CALIFORNIA II, LLC

23 Dated: October 5, 2017

KRAFT OPICH, LLP

24 By: /s/ Douglas H. Kraft [as authorized on 10/05/17]
25 DOUGLAS H. KRAFT,
26 Attorneys for Defendant UMPQUA BANK

ORDER

27 GOOD CAUSE appearing therefore, it is SO ORDERED.

28 DATED: 10/6/2017

/s/ John A. Mendez
JOHN A. MENDEZ
United States District Court Judge