

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION**

EUGENIO AND ROSA CONTRERAS,
WILLIAM PHILLIPS, TERESA BARNEY,
KEITH AND TERESA MARCEL, SHERLIE
CHARLOT, and JENNIE MILLER, on behalf
of themselves and all others similarly situated,
Plaintiffs,

v.

NATIONSTAR MORTGAGE LLC, a
Delaware Limited Liability Company;
SOLUTIONSTAR HOLDINGS LLC (N/K/A
XOME HOLDINGS LLC), a Delaware
Limited Liability Company; and
SOLUTIONSTAR FIELD SERVICES LLC, a
Delaware Limited Liability Company,
Defendants.

No. 2:16-cv-00302-MCE-JDP

**ORDER TO DISMISS
ACTION IN PART**

Judge: Hon. Morrison C. England, Jr.

BEFORE THE COURT is the Stipulation to Dismiss Action in Part. (ECF No. 151) filed by counsel for Plaintiffs Eugenio and Rosa Contreras, Teresa Barney, Keith and Teresa Marcel, Sherlie Charlot, and Jennie Miller (collectively “Plaintiffs”), and counsel for Defendants Nationstar Mortgage LLC, Solutionstar Holdings LLC, and Solutionstar Field Services LLC (“collectively “Defendants”).

1 Pursuant to Rule 41(a)(1)(A)(ii), the action captioned *Eugenio and Rosa Contreras v.*
2 *Nationstar Mortgage LLC*, Case No. 2:16-cv-00302-MCE-EFB, in the United States District Court for
3 the Eastern District of California shall be dismissed in part, as follows:

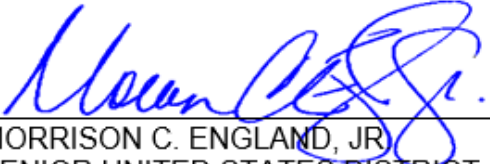
4 1. Named Plaintiffs Teresa Barney's and Keith and Teresa Marcel's individual claims
5 against Defendants are dismissed in their entirety and with prejudice. This dismissal is without
6 prejudice as to the rights of putative class members whom Teresa Barney, and Keith and Teresa
7 Marcel previously sought to represent in this action.

8 2. Named Plaintiffs Eugenio and Rosa Contreras' and Sherlie Charlot's individual
9 Inspection Fee Claims against Defendants are dismissed in their entirety and with prejudice. This
10 dismissal includes the Third Amended Complaint's (ECF No. 114), first, second, third, fifth, and ninth
11 causes of action to the extent they are based on Inspection Fee Claims, and also includes the eleventh
12 cause of action in its entirety. This dismissal is without prejudice to the rights of putative class
13 members whom Eugenio and Rosa Contreras and Sherlie Charlot previously sought to represent in this
14 action with respect to any Inspection Fee Claims asserted by those putative class members.

15 3. Named Plaintiffs Eugenio and Rosa Contreras', Sherlie Charlot's, and Jennie Miller's
16 Convenience Fee Claims asserted on behalf of putative class members who reside in states other than
17 California, Florida, or Illinois are dismissed. This dismissal includes the Third Amended Complaint's
18 first, second, and third causes of action to the extent they are based on Convenience Fee Claims and
19 are asserted on behalf of putative class members who do not reside in California, Florida, or Illinois.
20 This dismissal is without prejudice to the rights of putative class members who reside in states other
21 than California, Florida, and Illinois and whom Eugenio and Rosa Contreras, Sherlie Charlot, and
22 Jennie Miller previously sought to represent in this action.

23 IT IS SO ORDERED.

24 Dated: May 12, 2022

25 
26 MORRISON C. ENGLAND, JR.
27 SENIOR UNITED STATES DISTRICT JUDGE
28