

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

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

UNITED STATES OF AMERICA,

No. 2:18-CV-00746-KJM-CKD

Plaintiff,

vs.

STIPULATION AND ORDER
WITHDRAWAL OF VERIFIED CLAIM AND
ANSWER OF LIENHOLDER FIRST LIFE,
LLC

REAL PROPERTY LOCATED AT
2117 SOUTH AVENUE, SACRAMENTO
CALIFORNIA, SACRAMENTO COUNTY,
APN: 252-0183-012-0000, INCLUDING ALL
APPURTENANCES AND IMPROVEMENTS
THERE TO,

Defendants.

IT IS HEREBY STIPULATED by and between Claimant First Life, LLC (“Claimant”), by and through attorney, J. Patrick McCarthy, and Plaintiff, the United States of America (“Plaintiff”), by and through its undersigned counsel, Kevin C. Khasigian, Assistant United States Attorney, as follows:

1. Claimant asserted a lienholder interest in the defendant property located at 2117 South Avenue, Sacramento, California, APN: 252-0183-012-0000 (“South Avenue Property”), which maintains the following legal description: Attached as Ex. A

1 2. The loan has since been satisfied and Claimant no longer has an interest in the
2 South Avenue Property.

3 3. Accordingly, Claimant hereby withdraws its claim filed in the above-captioned
4 case on May 29, 2018, ECF No. 9, and its Answer filed July 2, 2018, ECF No. 12, with respect
5 to the South Avenue Property.

6 4. To the extent required under the *Federal Rules of Civil Procedure*, Rule 41(a),
7 Plaintiff agrees to dismiss with prejudice Claimant in the above-captioned case pursuant to the
8 *Federal Rules of Civil Procedure*, Rule 41(a). The South Avenue Property is the *in rem*
9 defendant.

10 5. Each party hereto is to bear its own costs; and

11 6. Claimant is hereby removed from the Service List for the above-captioned
12 case.

13 Dated: July 24, 2020

MCGREGOR W. SCOTT
United States Attorney

15
16 By: /s/ Kevin C. Khasigian
17 KEVIN C. KHASIGIAN,
18 Assistant United States Attorney
(Authorized by email)

19 Dated: July 24, 2020

20 /s/ J. Patrick McCarthy
21 J. PATRICK McCARTHY,
22 Attorney for Claimant
23
24
25
26
27
28

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

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 252-0183-012-0000

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SACRAMENTO, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF LOT 4, BLOCK 23 OF SUBDIVISION NO. 6, NORTH SACRAMENTO, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY, CALIFORNIA, ON AUGUST 8, 1912, IN BOOK 13 OF MAPS, MAP NO. 31, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 4, LOCATED SOUTH 89°10'30" EAST 200.00 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 4; THENCE FROM SAID POINT OF BEGINNING, NORTH 0°05' EAST PARALLEL TO THE EAST LINE OF SAID LOT 4, A DISTANCE OF 134.00 FEET; THENCE SOUTH 89°10'30" EAST 50.00 FEET; THENCE SOUTH 0°05' WEST PARALLEL TO THE EAST LINE OF SAID LOT 4, A DISTANCE OF 134.00 FEET TO THE SOUTH LINE OF SAID LOT 4; THENCE NORTH 89°10'30" WEST ALONG THE SOUTH LINE OF SAID LOT 4, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

1 **ORDER**

2 The court has read and considered the Stipulation of Withdrawal of Claim and
3 Answer by First Life, LLC (“Claimant”) and Plaintiff, the United States of America (“Plaintiff”),
4 by and through their respective counsel. For the reasons stated in the Stipulation and for good
5 cause shown,

6 IT IS HEREBY ORDERED as follows:

7 1. The Stipulation of Withdrawal of Claim and Answer by First Life, LLC is
8 approved.

9 2. Claimant’s claim filed in the above-captioned case on May 29, 2018, ECF No.
10 9, is hereby deemed withdrawn.

11 3. Claimant’s Answer filed in the above-captioned case on July 2, 2018, ECF No.
12 12, is hereby withdrawn.

13 4. Claimant is hereby deemed dismissed with prejudice from the above-captioned
14 case.

15 IT IS SO ORDERED.

16 This order resolves ECF No. 18.

17 DATED: July 31, 2020.

18 
19 _____
20 CHIEF UNITED STATES DISTRICT JUDGE
21
22
23
24
25
26
27
28