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Attorneys for Mortgagee/Lienholder/Claimant

8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA,  
 11 Plaintiff,

12 v.

13 REAL PROPERTY LOCATED AT 211  
 14 HEBRON CIRCLE, SACRAMENTO,  
 15 CALIFORNIA 95835, SACRAMENTO  
 16 COUNTY, APN: 225-1590-086-0000  
 17 INCLUDING ALL APPURTENANCES AND  
 18 IMPROVEMENTS THERETO, ET AL.  
 19 Defendant.

No.: **2:18-cv-00808-KJM-CKD**

**STIPULATION AND WITHDRAWAL OF  
 VERIFIED CLAIM AND ANSWER OF  
 LIENHOLDER, PENSICO TRUST  
 COMPANY, INC., CUSTODIAN FBO  
 QUINTON GOPEN IRA: 70002362 AS TO  
 AN UNDIVIDED 43.706% INTEREST  
 AND STUART COPEN, TRUSTEE OF  
 THE GOPEN FAMILY TRUST AS TO AN  
 UNDIVIDED 20.979% INTEREST AND  
 ROBERT GOPEN, TRUSTEE OF  
 GLORIA R. GOPEN MARITAL TRUST  
 AS TO AN UNDIVIDED 17.832%  
 INTEREST AND ROBERT L. GOPEN,  
 TRUSTEE OF THE R.L. GOPEN TRUST  
 DATED 3/11/1986 AS TO AN UNDIVIDED  
 17.483% INTEREST; ORDER**

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 26 **IT IS HEREBY STIPULATED** by and between claimant, **PENSICO TRUST**  
 27 **COMPANY, INC., CUSTODIAN FBO QUINTON GOPEN IRA: 70002362 AS TO AN**  
 28 **UNDIVIDED 43.706% INTEREST AND STUART COPEN, TRUSTEE OF THE GOPEN**

1 **FAMILY TRUST AS TO AN UNDIVIDED 20.979% INTEREST AND ROBERT GOPEN,**  
2 **TRUSTEE OF GLORIA R. GOPEN MARITAL TRUST AS TO AN UNDIVIDED 17.832%**  
3 **INTEREST AND ROBERT L. GOPEN, TRUSTEE OF THE R.L. GOPEN TRUST**  
4 **DATED 3/11/1986 AS TO AN UNDIVIDED 17.483% INTEREST** (“Claimant”), by and  
5 through her undersigned counsel, Edward T. Weber, and Plaintiff, the United States of America  
6 (“Plaintiff”), by and through its undersigned counsel, Kevin C. Khasigian, Assistant U.S.  
7 Attorney, as follows:

9 1. Claimant asserted a lienholder interest in the defendant property located at  
10 211 HEBRON CIRCLE, SACRAMENTO, CALIFORNIA 95835, SACRAMENTO COUNTY,  
11 APN: 225-1590-086-0000.

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13 2. Claimant filed an answer to the complaint in this case on 5/22/2018.

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15 3. The loan has since been satisfied and Claimant no longer has an interest in the  
16 defendant real property located at 211 HEBRON CIRCLE, SACRAMENTO, CALIFORNIA  
17 95835, SACRAMENTO COUNTY, APN: 225-1590-086-0000.

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19 4. Accordingly, Claimant hereby withdraws its claim filed in the above-captioned  
20 case on May 21, 2018, with respect to 211 HEBRON CIRCLE, SACRAMENTO, CALIFORNIA  
21 95835, SACRAMENTO COUNTY property [Dk. 15], and its answer filed in the above-captioned  
22 case on May 22, 2018 [Dk. 16].

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24 5. To the extent required under the *Federal Rules of Civil Procedure*, Rule 41(a),  
25 Plaintiff agrees to dismiss with prejudice Claimant in the above-captioned case pursuant to the  
26 *Federal Rules of Civil Procedure*, Rule 41(a). Defendant Real Property Located at 211  
27 HEBRON CIRCLE, SACRAMENTO, CALIFORNIA 95835, SACRAMENTO COUNTY is the  
28 *in rem* Defendant.

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- 6. Each party hereto is to bear its own costs; and
- 7. Claimant is hereby removed from the Service List for the above-captioned case.

LAW OFFICES OF EDWARD T. WEBER

Dated: September 3, 2019                      By: /s/ Edward T. Weber  
EDWARD T. WEBER, ESQ.  
Attorneys for Lienholder/Claimant

McGREGOR W. SCOTT  
UNITED STATES ATTORNEY

Dated: September 3, 2019                      /s/ Kevin C. Khasigian  
KEVIN C. KHASIGIAN  
Assistant U.S. Attorney  
(Authorized by email)

**ORDER**

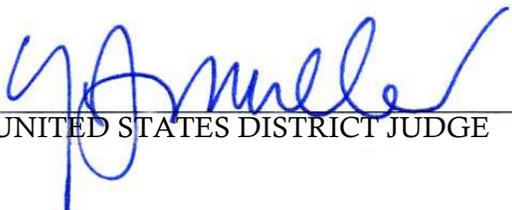
The Court has read and considered the Stipulation of Withdrawal of Verified Claim and Answer by PENSICO TRUST COMPANY, INC., CUSTODIAN FBO QUINTON GOPEN IRA: 70002362 AS TO AN UNDIVIDED 43.706% INTEREST AND STUART GOPEN,<sup>1</sup> TRUSTEE OF THE GOPEN FAMILY TRUST AS TO AN UNDIVIDED 20.979% INTEREST AND ROBERT GOPEN, TRUSTEE OF GLORIA R. GOPEN MARITAL TRUST AS TO AN UNDIVIDED 17.832% INTEREST AND ROBERT L. GOPEN, TRUSTEE OF THE R.L. GOPEN TRUST DATED 3/11/1986 AS TO AN UNDIVIDED 17.483% INTEREST (“Claimant”), and Plaintiff, United States of America (“Plaintiff”), by and through their respective counsel (collectively, the “Parties”). For the reasons stated in the Stipulation and for good cause shown,

IT IS HEREBY ORDERED as follows:

1. The Stipulation is approved.
2. Claimant’s claim filed in the above-captioned case on May 21, 2018 [Dk. 15] is hereby deemed withdrawn.
3. Claimant’s answer filed in the above-captioned case on May 22, 2018 [Dk. 16] is hereby deemed withdrawn.
4. Claimant is hereby deemed dismissed from the above-captioned case.

IT IS SO ORDERED.

DATED: September 3, 2019.

  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> Although the stipulation repeatedly refers to “Stuart Copen,” the answer and claim indicate “Stuart Gopen” is correct.