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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,  
14 Plaintiff,

15 v.

16 REAL PROPERTY AND IMPROVEMENTS  
17 LOCATED AT 636 SAN PABLO AVENUE,  
ALBANY, CALIFORNIA, AND  
18 REAL PROPERTY AND IMPROVEMENTS  
LOCATED AT 3959 COWAN ROAD,  
19 LAFAYETTE, CALIFORNIA,  
20 Defendants.

No. 07-4432 MMC

STIPULATION AND ORDER DISMISSING  
DEFENDANT 3959 COWAN ROAD,  
LAFAYETTE, CALIFORNIA  
PURSUANT TO RULE 41(a)(2)

21 WINSLOW NORTON, ABRAHAM  
22 NORTON AND BAYVIEW LOAN  
SERVICING LLC,  
23 Claimants.

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26 United States of America is plaintiff. Defendants are Real Property and Improvements  
27 Located at 3959 Cowan Road, Lafayette, California ("defendant 3959 Cowan Road") and Real  
28 Property and Improvements located at 636 San Pablo Avenue, Albany California ("defendant 636

1 San Pablo Avenue"). Claimants Winslow Norton and Abraham Norton filed a claim and an  
2 answer as to both defendants in order to appear in this action. Bayview Loan Servicing LLC  
3 filed a claim and an answer only in connection with defendant 636 San Pablo Avenue.

4 This stipulation of dismissal pertains only to defendant 3959 Cowan Road. Counsel for  
5 the United States and counsel for Abraham Norton and Winslow Norton, Harold Rosenthal,  
6 agree, subject to the Court's approval, that this action be and hereby is DISMISSED as against  
7 defendant 3959 Cowan Road pursuant to Rule 41(a)(2), Federal Rules of Civil Procedure, with  
8 each party is to bear his or its own attorneys' fees and costs.

9  
10 IT IS SO STIPULATED:

11 Dated: December 19, 2008


LAW OFFICES OF HAROLD ROSENTHAL



12 By: HAROLD ROSENTHAL  
Attorneys for claimants Winslow Norton  
and Abraham Norton

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16 Dated: December 22, 2008

JOSEPH P. RUSSONIELLO  
United States Attorney



17 By: PATRICIA J. KENNEY  
Assistant United States Attorney  
Attorneys for the United States

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20 UPON CONSIDERATION OF THE FOREGOING, IT IS BY THE COURT ON THIS  
21 24th DAY OF December 2008, ORDERED THAT THE CASE BE, AND HEREBY IS,  
22 DISMISSED AGAINST DEFENDANT 3959 COWAN ROAD, LAFAYETTE, CALIFORNIA,  
23 PURSUANT TO RULE 41(a)(2), FEDERAL RULES OF CIVIL PROCEDURE, WITH EACH  
24 PART TO BEAR HIS OR ITS OWN ATTORNEYS' FEES AND COSTS.

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HONORABLE MAXINE M. CHESNEY  
United States District Judge

27  
28 Stip & Order of Dismissal of  
Defendant 3959 Cowan Road  
No. 07-4432 MMC