

1 DONALD F. SETH, ESQ.  
 2 SBN 92318  
 290 B Street, Suite 205  
 Santa Rosa, CA 95401  
 (707) 545-6370 Telephone  
 (707) 545-9770 Facsimile  
 donaldfseth@gmail.com

5 Attorney for Plaintiff  
 GONZALO PENA TORRES

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

11 GONZALO PENA TORRES,	)	CASE NUMBER: C08-01775-WHA
	)	
12 Plaintiff,	)	STIPULATION AND ORDER OF
	)	DISMISSAL WITH PREJUDICE
13 vs.	)	
	)	
14 WACHOVIA MORTGAGE CORP., et al.,	)	
	)	
15 Defendants.	)	

18 IT IS HEREBY STIPULATED by and between plaintiff GONZALO PENA TORRES  
 19 and defendants WACHOVIA MORTGAGE, FSB, erroneously sued as WACHOVIA  
 20 CORPORATION and all DOE defendants, through their designated counsel, that the above-  
 21 named defendants be dismissed from the above-captioned action, with prejudice, pursuant to  
 22 FRCP 41(a).

24 DATED: January 26, 2009

LAW OFFICE OF DONALD F. SETH

26 By:           /s/ Donald F. Seth            
 27 DONALD F. SETH  
 28 Attorney for Plaintiff, GONZALO PENA  
 TORRES

1 DATED: January 26, 2009

LAW OFFICE OF REED SMITH LLP

2  
3  
4 By: /s/ Keith D. Yandell  
5 KEITH D. YANDELL  
6 Attorney for Defendant, WACHOVIA  
7 MORTGAGE, FSB, erroneously sued as  
8 WACHOVIA CORPORATION

9 **ORDER**

10 PURSUANT TO THE STIPULATION, THE COURT ORDERS that defendants  
11 WACHOVIA MORTGAGE, FSB, erroneously sued as WACHOVIA CORPORATION and all  
12 DOE defendants, hereby are dismissed with prejudice, from the above-captioned action as to all  
13 claims and allegations brought against it by plaintiff GONZALO PENA TORRES.

14 This Court DIRECTS the clerk to close this action.

15 **IT IS SO ORDERED.**

16 DATED: January 27, 2009

