

1 J. GARY GWILLIAM (State Bar No. 33430)
 RANDALL E. STRAUSS (State Bar No. 168363)
 2 GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER
 1999 Harrison Street, Suite 1600
 3 Oakland, California 94612-3528
 Telephone: (510) 832-5411
 4 Facsimile: (510) 832-1918

5 Attorneys for Plaintiffs
 Richard Adame, Connie G. Bender
 6 and Constance Davis

7 PATRICIA K. GILLETTE (STATE BAR NO. 74461)
 pgillette@orrick.com

8 GREG J. RICHARDSON (STATE BAR NO. 203788)
 grichardson@orrick.com

9 LENA P. RYAN (STATE BAR NO. 258782)
 lenaryan@orrick.com

10 ORRICK, HERRINGTON & SUTCLIFFE LLP
 The Orrick Building
 11 405 Howard Street
 San Francisco, California 94105
 12 Telephone: (415) 773-5700
 Facsimile: (415) 773-5759

13 Attorneys for Defendant
 14 Bank of America, National Association
 (erroneously sued as "Bank of America")

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17

18 RICHARD ADAME, CONNIE G.
 BENDER, and CONSTANCE DAVIS

19 Plaintiffs,

20 v.

21 BANK OF AMERICA, NATIONAL
 22 ASSOCIATION (erroneously sued as
 "Bank of America")

23 Defendant.
 24

Case No. CV 09-0129 SI

**STIPULATION OF DISMISSAL OF
 CLAIMS OF PLAINTIFF RICHARD
 ADAME; [PROPOSED] ORDER
 DISMISSING CLAIMS OF PLAINTIFF
 RICHARD ADAME**

1 PLAINTIFF RICHARD ADAME and DEFENDANT BANK OF AMERICA, NATIONAL
2 ASSOCIATION, acting through their respective counsel of record, hereby stipulate, pursuant to Federal
3 Rule of Civil Procedure 41(a)(1), that this action, having been settled as to Plaintiff Richard Adame
4 only, may be dismissed with prejudice as to Plaintiff Richard Adame only, each side to bear its own
5 costs and attorneys' fees in connection with the claims of Plaintiff Adame. The claims of co-Plaintiffs
6 C. George Bender and Constance Davis have not been settled and therefore remain in this action.

7
8 Dated: November 8, 2010

J. GARY GWILLIAM
RANDALL E. STRAUSS
GWILLIAM, IVARY, CHIOSSO, CAVALLI &
BREWER

9
10
11
12 By: /s/ Randall E. Strauss
13 Randall E. Strauss
14 Attorneys for Plaintiffs
Richard Adame, Connie G. Bender
and Constance Davis

15
16 Dated: November 8, 2010

PATRICIA K. GILLETTE
GREG J. RICHARDSON
LENA P. RYAN
ORRICK, HERRINGTON & SUTCLIFFE LLP

17
18
19
20 By: /s/ Patricia K. Gillette
21 Patricia K. Gillette
Attorneys for Defendant
Bank of America, National Association

22 Orrick attests that concurrence in the filing of the document has been obtained from the other signatory,
23 which shall serve in lieu of their signature on the document.

24
25
26
27
28
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Patricia K. Gillette
Patricia K. Gillette

ORDER

The Court having considered the above Stipulation, and good cause appearing therefore,
IT IS HEREBY ORDERED that the claims of PLAINTIFF RICHARD ADAME only are DISMISSED
WITH PREJUDICE, each side to bear its own costs and attorneys' fees.



HON. SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

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