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6 Attorneys for  
 FEDERAL DEPOSIT INSURANCE CORPORATION  
 7 AS RECEIVER FOR DEFENDANT INDYMAC FEDERAL BANK

8  
 9 UNITED STATES DISTRICT COURT  
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11  
 12 DARRELL MCDONALD and FLORA  
 MCDONALD,  
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 Plaintiffs,  
 14  
 vs.  
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 RESIDENTIAL MORTGAGE CAPITAL; et al.,  
 16  
 Defendants.  
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Case No: 09-CV-1365 MMC  
~~PROPOSED~~ ORDER GRANTING THE  
 FEDERAL DEPOSIT INSURANCE  
 CORPORATION'S *EX PARTE*  
 APPLICATION FOR SUBSTITUTION OF  
 PARTY DEFENDANT  
 ASSIGNED FOR ALL PURPOSES TO:  
 The Honorable Maxine M. Chesney  
 Courtroom 7, 19<sup>th</sup> Floor

1 **ORDER**

2 Having duly considered the Federal Deposit Insurance Corporation's *Ex Parte* Application for  
3 Substitution of Party Defendant, in the above-captioned matter, seeking to substitute the Receiver in the  
4 place and stead of Federal Deposit Insurance Corporation, as Conservator of IndyMac Federal Bank, and  
5 it appearing that the Receiver's Application is well-taken in light of the facts presented to this Court,

6 It is hereby ORDERED, ADJUDGED, AND DECREED, that the Federal Deposit Insurance  
7 Corporation, as Receiver of IndyMac Federal Bank, be substituted in the place and stead of Defendant  
8 Federal Deposit Insurance Corporation, as Conservator of IndyMac Federal Bank in the above-captioned  
9 matter.

10 Dated: June 11, 2009

11   
12 Honorable Maxine M. Chesney