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8 Attorneys for Plaintiffs and the Proposed Class

9  
 10 UNITED STATES DISTRICT COURT  
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 12

13 ERIK BARGER, an individual and  
 14 KIMBERLY McCOY, an individual, on  
 behalf of themselves and all others similarly  
 15 situated

16 Plaintiffs,

17 v.

18 EMC MORTGAGE CORPORATION;  
 JPMORGAN CHASE BANK, N.A.; and  
 19 JPMORGAN CHASE BANK, N.A., as trustee;

20 Defendants.

CASE NO.: 3:10-cv-01152-SI

The Honorable Susan Illston

~~PROPOSED~~ ORDER DISMISSING  
 ACTION

21 IT IS HEREBY ORDERED that this case is dismissed.

22 Plaintiffs' claims are dismissed with prejudice, and the claims of the putative class are  
 23 dismissed without prejudice and without notice



24  
 25 Dated: December 8, 2011

26 SUSAN ILLSTON  
 United States District Court