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11 Attorneys for Plaintiffs, SELECT PORTFOLIO SERVICING
 12 INC. and DLJ MORTGAGE CAPITAL.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15
 16
 17 SELECT PORTFOLIO SERVICING, INC. a
 Utah corporation; and DLJ MORTGAGE
 18 CAPITAL, a Delaware corporation,

Case No.: 3:10-cv-01882-SI

19 Plaintiffs,

**[CORRECTED]
 STIPULATED ORDER RE: DISMISSAL
 WITH PREJUDICE AND DISCHARGE OF
 LIABILITY**

20 v.

21 AMCO INSURANCE COMPANY, an Iowa
 corporation; and DOES 1 through 20, inclusive,

22 Defendants.
 23

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 25 IT IS HEREBY STIPULATED, by and between the parties to this action, plaintiffs Select
 26 Portfolio Servicing Inc., and DLJ Mortgage Capital (“plaintiffs”) and defendant AMCO Insurance
 27 Company (“AMCO”) through their attorneys of record William Idleman of Wright, Finlay & Zak,
 28

1 LLP on behalf of plaintiffs and Lisa S. Passalacqua of Wilson, Elser, Moskowitz, Edelman &
2 Dicker, LLP on behalf of defendant AMCO, that the above-captioned action has settled, as follows:

3 WHEREAS on or about December 12, 2006, Defendant issued a homeowner's insurance
4 policy which provided property insurance coverage for the property located at 3039 75th Avenue,
5 Oakland, California 94605, policy number HA 0018379870 0 (the "Policy"), and named "WMC
6 Mortgage Corporation ISAOA" ("WMC") as the mortgage loss payee. Plaintiffs subsequently
7 were assigned the rights of WMC, as evidenced in the assignment attached hereto as Exhibit "A."

8 WHEREAS on or about July 20, 2007, a fire damaged the Property. Plaintiffs made a claim
9 for the benefits due under the Policy.

10 WHEREAS the parties in this matter have agreed to a compromise to resolve all claims and
11 differences in the above-referenced action.

12 WHEREAS upon payment of the settlement funds identified in the parties' confidential
13 settlement agreement, plaintiffs Select Portfolio Servicing Incorporated and DLJ Mortgage Capital,
14 Incorporated, its successors, affiliates, parent corporation, directors, officers and agents hereby
15 forever release, discharge, and acquit defendant AMCO Insurance Company and its successors,
16 affiliates, parent corporation, directors, officers and agents for any and all liability of any kind or
17 nature whatsoever under the Policy.

18 IT IS SO STIPULATED

19 Dated: February 9, 2011

WRIGHT, FINLAY & ZAK, LLP

20
21 By: /s/ William Idleman
22 GWEN H. RIBAR
23 WILLIAM IDLEMAN
24 Attorneys for Plaintiffs
25 SELECT PORFOLIO SERVICING
26 INC., and DLJ MORTGAGE CAPITAL
27
28

1 Dated: February 9, 2011

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP


2
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4 By: /s/ Lisa S. Passalacqua
THOMAS M. HERLIHY
JOHN T. BURNITE
5 LISA S. PASSALACQUA
6 Attorneys for Defendant,
AMCO INSURANCE COMPANY

7
8 **[Proposed] ORDER**

9 Upon payment of the settlement funds, as indentified in the parties' confidential settlement
10 agreement, AMCO will have paid all benefits owing under insurance policy number HA
11 0018379870 0 ("the Policy"). Therefore, its successors, affiliates, parent corporation, directors,
12 officers and agents are fully and forever released, discharged, and acquitted from any and all
13 liability of any kind or nature whatsoever under the Policy.

14 IT IS HEREBY ORDERED.

15
16 Dated: February 10, 2011



17 HONORABLE SUSAN ILLSTON
United States District Court Judge

EXHIBIT A

ASSIGNMENT of
INSURANCE RIGHTS

#1125978

This Assignment of Insurance Rights, is dated as of October 30, 2009 and is by WMC Mortgage LLC., successor-in-interest to WMC Mortgage Corp. ("WMC") in favor of Select Portfolio Servicing, Inc. ("SPS").

WHEREAS, WMC made a mortgage loan ("Mortgage Loan") dated December 7, 2006 to Chaya Green ("Green") regarding the property ("Property") located at 3039 75th Avenue, Oakland, California 94605; and

WHEREAS, WMC, its successors and/or assigns, was named as the insured mortgagee under the homeowners insurance policy ("Policy") issued to Green by Amco Insurance Company ("Amco") covering the Property; and

WHEREAS, WMC retained Litton Loan Servicing, LLP ("Litton") to service the Mortgage Loan on behalf of WMC; and

WHEREAS, WMC foreclosed on the Property on or about November 7, 2007; and

WHEREAS, WMC granted the Property on or about February 4, 2008, to DLJ Mortgage Capital, Inc.; and

WHEREAS, Litton transferred the asset management rights including, but not limited to, any and all insurance rights to SPS effective January 9, 2008; and

WHEREAS, based on Amco's notification, the Property suffered damage from a fire on or about July 20, 2007, while Amco's Policy was in effect.

NOW THEREFORE, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, WMC hereby acknowledges its assignment to SPS all of its rights, title and interest in and to recovery of the insurance proceeds from Amco under the Policy as a result of the July 20, 2007 fire at the Property, and any cause of action against Amco under the Policy as a result of the July 20, 2007 fire at the Property.

IN WITNESS WHEREOF, WMC has executed this Assignment of Insurance Rights as of the date first written above.

WMC Mortgage LLC, successors-in-interest to WMC Mortgage Corp.

By: _____

Its: ROBERT M. ROTHLEDER, VICE PRESIDENT

CALIFORNIA JURAT WITH AFFIANT STATEMENT

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-5 to be completed only by document signer[s], not Notary)

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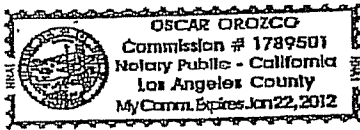
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Signature of Document Signer No. 1 _____

Signature of Document Signer No. 2 (if any) _____

State of California
 County of LOS ANGELES

Subscribed and sworn to (or affirmed) before me on this
30th day of OCTOBER, 2009, by
Date Month Year
 (1) ROBERT M. POTHELEER
Name of Signer



proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (.)

(and
 (2) N/A
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

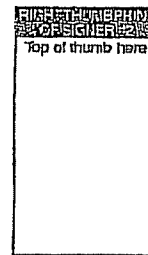
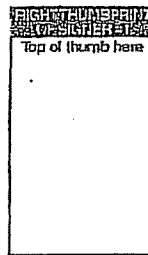
Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____



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PROOF OF SERVICE

*Select Portfolio Servicing, Inc. v. AMCO Insurance Company
U.S.D.C., Northern District Case No. CV10-1882 BZ*

At the time of service I was over 18 years of age and not a party to this action. I am employed by WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP. My business address is 525 Market Street, 17th Floor, San Francisco, California 94105. My business telephone number is (415) 433-0990; my business fax number is (415) 434-1370. On this date I served the following document(s):

STIPULATED ORDER RE: DISMISSAL WITH PREJUDICE AND DISCHARGE OF LIABILITY AND [Proposed] ORDER

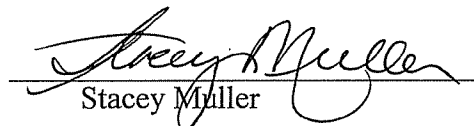
on the person or persons listed below, through their respective attorneys of record in this action, by placing true copies thereof in sealed envelopes or packages addressed as shown below by the following means of service:

- : **By United States Mail.** I placed the envelope(s) for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- : **By Overnight Delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and address to the persons at the addresses below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- : **By Messenger Service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed below and provided them to a professional messenger service for service.
- : **By Fax Transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which was printed out, is attached.
- : **By Electronic Service.** Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses listed below.

Gwen H. Ribar, Esq.
William Idleman, Esq.
Wright, Finlay & Zak, LLP
4665 MacArthur Court, Suite 280
Newport Beach, CA 92660
Fax: (949) 477-9200

Attorney(s) for Plaintiff SELECT
PORTFOLIO SERVICING, INC.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge. EXECUTED on February 9, 2011 at San Francisco, California.


Stacey Miller