

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

EDWARD A. TREDER
State Bar No. 116307
DEEPIKA S. SALUJA
State Bar No. 251665
BARRETT DAFFIN FRAPPIER
TREDER & WEISS, LLP
20955 Pathfinder Road, Suite 300
Doa,pmd Bar, California 91765
(626) 915-5714 – Phone
(626) 915-0289 – Fax
edwardt@bdfgroup.com
DeepikaS@bdfgroup.com

Attorneys for Defendant NDEx WEST, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES MAZZAMUTO,

Plaintiff,

vs.

WACHOVIA, NDEX WEST, LLC, AND
DOES 1 TO 10, INCLUSIVE,

Defendants.

CASE NO. 3:10-cv-02851-WHA

~~PROPOSED~~ ORDER RE
STIPULATION OF NON-
MONETARY STATUS OF
DEFENDANT NDEx WEST, LLC

[NO HEARING REQUIRED]

The Stipulation of Non-Monetary Status by and between Plaintiff JAMES MAZZAMUTO and Defendant NDEx WEST, LLC, the pertinent parts of which are set forth below, is hereby approved.

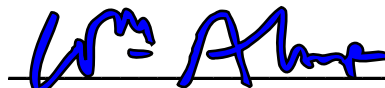
~~PROPOSED~~ ORDER RE STIPULATION OF NON-MONETARY STATUS OF DEFENDANT NDEx WEST, LLC

1 Plaintiff does not assert any claims for monetary relief against Defendant NDEx
2 WEST, LLC, and Plaintiff's Complaint does not allege any misconduct on Defendant
3 NDEx WEST, LLC's part in the performance of its duties and/or in its handling of the
4 non-judicial foreclosure as agent for the mortgage lender(s) and/or as successor trustee
5 under the subject Deed of Trust. Defendant NDEx WEST, LLC shall have no liability
6 to Plaintiff for any monetary damages, attorney's fees or costs of suit.
7
8

9 Defendant NDEx WEST, LLC shall be bound by any non-monetary judgment or
10 order that may be entered by the Court concerning (a) ownership and title to the
11 subject real property, (b) the validity, enforceability and priority of the subject Deed of
12 Trust, and/or (c) the non-judicial foreclosure proceeding.
13
14

15
16 Pursuant to the above stipulation, **IT IS SO ORDERED.**
17
18

19
20
21 Dated: September 10, 2010.



22 **WILLIAM ALSUP**
23 **UNITED STATES DISTRICT JUDGE**
24
25
26
27