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 6 FLAGSTAR BANK, FSB

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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11 FLAGSTAR BANK, FSB, a Federally
 12 Chartered Savings Bank,
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 14 Plaintiff,

14 v.

15 THE LOAN EXPERTS CORPORATION,
 d/b/a/ ALL AMERICAN FINANCE, a
 16 California corporation, HORMOZ NAZARI,
 an individual, ELIZABETH CORTEZ
 17 PADILLA, an individual, 1350 ESCONDIDO
 COASTAL, LLC, a California limited liability
 18 company, WESTLAKE COASTAL, LLC, a
 California limited liability company, VCH-
 19 SALINAS 1, LLC, a California limited
 liability company, ALLSTAR APPRAISALS,
 20 INC., a California Corporation, JAMES MAY,
 an individual, STEWART TITLE OF
 21 CALIFORNIA, a California Corporation,

22 Defendants.
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Case No. C 10-03190-CRB

**STIPULATION AND [REDACTED]
 ORDER OF DISMISSAL OF CERTAIN
 CLAIMS AGAINST HORMOZ NAZARI
 UNDER FRCP 41(a)(2)**

Judge: Hon. Charles R. Breyer

Date Comp. Filed: Michigan: 1/26/2010
 USDC/SF: 7/21/2010

Trial Date: None Set

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STIPULATION

The undersigned parties, by and through their respective counsel, do hereby stipulate, pursuant to the terms of the confidential January 11, 2011 Dismissal and Release Agreement entered into by the parties and as indicated by their signatures below, that Plaintiff Flagstar Bank’s causes of action against Defendant Hormoz Nazari (“Nazari”) for Fraud (Count VI) and Civil Conspiracy (Count VII) are dismissed without prejudice. The parties further stipulate that Flagstar Bank’s dismissal of the Fraud (Count VI) and Civil Conspiracy (Count VII) causes of action against Nazari does not affect any of the parties’ other pending claims, including Flagstar Bank’s other pending claims against Nazari. Flagstar Bank and Nazari shall each bear its own costs related to the Fraud (Count VI) and Civil Conspiracy (Count VII) causes of action.

Dated: January 11, 2011

KEKER & VAN NEST LLP

By: /s/ Rachael E. Meny
RACHAEL E. MENY
Attorneys for Plaintiff
FLAGSTAR BANK, FSB

Dated: January 10, 2011

HORAN LLOYD LAW OFFICES

By: /s/ Elizabeth C. Gianola
ELIZABETH C. GIANOLA
Attorneys for Defendant
HORMOZ NAZARI

[Concurrence Obtained General Order 45 § X.B]

FILER’S ATTESTATION

I, Rachael E. Meny, the filer of this document, hereby attest that concurrence in the filing of this document has been obtained from each signatory hereto.

Dated: January 11, 2011

By: /s/ Rachael E. Meny
RACHAEL E. MENY

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[PROPOSED] ORDER

Based on the above Stipulation of the Parties, IT IS SO ORDERED.

Dated: January 11, 2011

