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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FEDERAL DEPOSIT INSURANCE  
CORPORATION, in its capacity as  
receiver for NetBank, FSB,

Plaintiff,

v.

GOLDEN KEY REALTY & MORTGAGE  
BANKER, INC.; SAMUEL GBILIA,

Defendants.

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No. C 10-04285 WHA

**ORDER GRANTING JOINT  
MOTION FOR CONSENT  
JUDGMENT AND DENYING  
MOTION FOR DEFAULT  
JUDGMENT**

In this action, Plaintiff FDIC sued defendants Golden Key Realty & Mortgage Banker, Inc. and Mr. Samuel Gbilias. Mr. Gbilias is the president and owner of Golden Key. The operative complaint is the First Amended Complaint, filed October 10, 2011, in which plaintiff asserted claims of negligence and fraud. Defendants did not file an answer. On January 16, 2013, plaintiff filed a motion for default judgment against defendants. Defendants did not file an opposition.

A hearing on the motion for default judgment was scheduled for February 28, 2013. On the morning of February 28, prior to the hearing, plaintiff filed a joint motion for consent judgment signed by plaintiff's counsel and defendant Mr. Gbilias. Plaintiff's counsel and defendant Mr. Gbilias attended the hearing.

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Parties' joint motion for consent judgment is **GRANTED**. Plaintiff's motion for default judgment is **DENIED AS MOOT**. Judgment will be entered in a separate order.

**IT IS SO ORDERED.**

Dated: March 1, 2013.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE