

1 NANCY J. JOHNSON, CA STATE BAR NO. 111615
 BERLINER COHEN
 2 TEN ALMADEN BOULEVARD
 ELEVENTH FLOOR
 3 SAN JOSE, CALIFORNIA 95113-2233
 TELEPHONE: (408) 286-5800
 4 FACSIMILE: (408) 998-5388
 nancy.johnson@berliner.com
 5

6 ATTORNEYS FOR DEFENDANT STEWART TITLE OF
 CALIFORNIA, INC., A CALIFORNIA CORPORATION
 7

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 JOHN M. CALDWELL, an individual and
 MARY F. CALDWELL, and individual,
 12

13 Plaintiffs,

14 v.

15 NORTHERN PACIFIC MORTGAGE
 CORPORATION, a California corporation;
 TRACEY S. WARNER, an individual;
 16 CITIBANK NA, a Business Entity, form
 unknown; INVESTORS TRUST
 17 MORTGAGE INVESTMENT COMPANY,
 INC., a California corporation; FIRST
 18 AMERICAN TITLE COMPANY, a California
 corporation; COMMONWEALTH LAND
 19 TITLE CO., a California corporation;
 FIDELITY NATIONAL TITLE INSURANCE
 20 COMPANY dba LSI, an Arizona corporation;
 VERDUGO TRUSTEE SERVICE
 21 CORPORATION, a California corporation;
 MORTGAGE ELECTRONIC
 22 REGISTRATIONS SYTEMS, a Delaware
 corporation; CITIMORTGAGE, INC., a New
 23 York corporation; PRIVATE NATIONAL
 MORTGAGE ACCEPTANCE COMPANY,
 24 LLC, a Delaware limited liability corporation;
 CR TITLE SERVICES, INC., a Delaware
 25 corporation; STEWART TITLE OF
 CALIFORNIA, a California corporation; and
 26 DOES 1-100 inclusive,

27 Defendants.
 28

CASE NO. 3:10-CV-05306-TEH

STIPULATION BETWEEN PLAINTIFFS
 AND STEWART TITLE OF CALIFORNIA,
 INC. FOR DISMISSAL OF STEWART
 TITLE OF CALIFORNIA, INC., AND
~~PROPOSED~~ ORDER

1 **STIPULATION BETWEEN PLAINTIFFS AND STEWART TITLE OF CALIFORNIA,**
2 **INC. FOR DISMISSAL OF STEWART TITLE OF CALIFORNIA, INC.**

3 Plaintiffs John M. Caldwell and Mary F. Caldwell and Defendant Stewart Title of
4 California, Inc., through their respective attorneys, hereby agree to, and request, the Dismissal of
5 Stewart Title of California, Inc. without prejudice.

6 IT IS SO STIPULATED.

7 DATED: DECEMBER 16, 2010

LAW OFFICE OF JOSEPH A. LEPERA

8 BY: /s/ JOSEPH A. LEPERA

9 JOSEPH A. LEPERA
10 ATTORNEYS FOR PLAINTIFFS JOHN M.
 CALDWELL AND MARY F. CALDWELL

11 DATED: DECEMBER 16, 2010

BERLINER COHEN

12 BY: /s/ NANCY J. JOHNSON

13 NANCY J. JOHNSON
14 ATTORNEYS FOR DEFENDANT STEWART
15 TITLE OF CALIFORNIA, INC., A CALIFORNIA
16 CORPORATION

17 ~~PROPOSED~~ ORDER

18 Pursuant to the Stipulation between Plaintiffs John M. Caldwell and Mary F. Caldwell
19 and Defendant Stewart Title of California, Inc., the dismissal of Stewart Title of California, Inc.
20 is hereby ordered. The dismissal is without prejudice.

21 DATED: 12/16 , 2010

22 BY: _____

23 THELTON E. HENDERSON
24 JUDGE
25 DISTRICT OF CALIFORNIA, NORTHERN
26 Judge Thelton E. Henderson
27 NORTHERN DISTRICT OF CALIFORNIA
28