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

TEH

10 JOHN M. CALDWELL, an individual; MARY) F. CALDWELL, an individual,) 11) Plaintiffs,) 12) vs.) 13) NORTHERN PACIFIC MORTGAGE) 14 CORPORATION, a California Corporation;) TRACEY S. WARNER, an individual;) 15 CITIBANK NA, a Business Entity, form) unknown; INVESTORS TRUST MORTGAGE) 16 INVESTMENT COMPANY INC., a California) corporation; FIRST AMERICAN TITLE) 17 COMPANY, a California Corporation;) COMMONWEALTH LAND TITLE CO., a) 18 California Corporation; FIDELITY NATIONAL) TITLE INSURANCE COMPANY dba LSI, an) 19 Arizona corporation; VERDUGO TRUSTEE) SERVICE CORPORATION, a California) 20 corporation; MORTGAGE ELECTRONIC) REGISTRATION SYSTEMS, a Delaware) 21 corporation; CITIMORTGAGE INC., a New) York corporation; PRIVATE NATIONAL) 22 MORTGAGE ACCEPTANCE COMPANY,) LLC, a Delaware limited liability company; CR) 23 TITLE SERVICES, INC., a Delaware) corporation; STEWART TITLE OF) 24 CALIFORNIA., a California corporation; and) DOES 1-100, inclusive,) 25) Defendants.) 26)	CASE NO. 10-CV-05306-MEJ STIPULATION BETWEEN PLAINTIFFS JOHN M. CALDWELL AND MARY F. CALDWELL AND DEFENDANTS COMMONWEALTH LAND TITLE COMPANY AND FIDELITY NATIONAL TITLE INSURANCE COMPANY/LSI FOR DISMISSAL OF COMMONWEALTH LAND TITLE COMPANY AND FIDELITY NATIONAL TITLE INSURANCE COMPANY/LSI AND [PROPOSED] ORDER
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27 **Caldwell, et. al. v Northern Pacific Mortgage Corp. et.al.-Case No. 3:10-cv-05306-TEH 1**

28 Stipulation Between Plaintiffs & Defendants Commonwealth Land Title Company & Fidelity
National Title Insurance Company/LSI For Dismissal of Said Defendants /Order

1 **STIPULATION BETWEEN PLAINTIFFS JOHN M. CALDWELL AND MARY F.**
2 **CALDWELL AND DEFENDANTS COMMONWEALTH LAND TITLE COMPANY**
3 **AND FIDELITY NATIONAL TITLE INSURANCE COMPANY/LSI FOR**
4 **DISMISSAL OF COMMONWEALTH LAND TITLE COMPANY AND FIDELITY**
5 **NATIONAL TITLE INSURANCE COMPANY/LSI**

6 **IT IS HEREBY STIPULATED AND AGREED** by Plaintiffs John M. Caldwell
7 and Mary F. Caldwell and Defendants Commonwealth Land Title Company and Fidelity
8 National Title Insurance Company/LSI through their respective counsel, that in the above
9 captioned action it is requested that the dismissal without prejudice of Defendants
10 Commonwealth Land Title Company and Fidelity National Title Insurance Company/LSI be
11 ordered and entered.

12 **IT IS SO STIPULATED.**

13 Dated: January 4, 2011. **LEPERA & ASSOCIATES, PC**

14 BY: /s/ Joseph A. Lepera
15 Joseph A. Lepera, Attorneys for Plaintiffs
16 John M. Caldwell and Mary F. Caldwell

17 Dated: January 10, 2011. **FIDELITY NATIONAL LAW GROUP, a division**
18 **of Fidelity National Title Group, Inc.**

19 BY: /s/ Glen H. Olives
20 Glen H. Olives, Attorneys for Defendants
21 Commonwealth Land Title Company and
22 Fidelity National Title Insurance Company/LSI

23 **[PROPOSED] ORDER**

24 Pursuant to the Stipulation between Plaintiffs John M. Caldwell and Mary F. Caldwell
25 and Defendants Commonwealth Land Title Company and Fidelity National Title Insurance
26 Company/LSI, the dismissal of Defendants Commonwealth Land Title Company and Fidelity
27 National Title Insurance Company/LSI without prejudice is hereby ordered.

28 Dated: 1/12, 2011.

By: Thelton E. Henderson
THELTON E. HENDERSON
Judge of the Northern District of California

