

1 ROBERT C. SCHUBERT (S.B.N. 62684)  
rschubert@schubertlawfirm.com  
2 WILLEM F. JONCKHEER (S.B.N. 178748)  
wjonckheer@schubertlawfirm.com  
3 MIRANDA P. KOLBE (S.B.N. 214392)  
mkolbe@schubertlawfirm.com  
4 JASON A. PIKLER (S.B.N. 245722)  
jpikler@schubertlawfirm.com  
5 SCHUBERT JONCKHEER & KOLBE LLP  
Three Embarcadero Center, Suite 1650  
6 San Francisco, California 94111  
Telephone: (415) 788-4220  
7 Facsimile: (415) 788-0161

8 JEFFREY M. NORTON (*Pro Hac Vice*)  
jnorton@nflp.com  
9 NEWMAN FERRARA LLP  
1250 Broadway, 27th Fl.  
10 New York, NY 10001  
Telephone: (212) 619-5400  
11 Facsimile: (212) 619-3090

12 *Counsel for Plaintiffs*

MARK D. LONERGAN (S.B.N. 143622)  
mdl@severson.com  
MICHAEL J. STEINER (S.B.N. 112079)  
mjs@severson.com  
KALAMA M. LUI-KWAN (S.B.N. 242121)  
kml@severson.com  
JON D. IVES (S.B.N. 230582)  
jdi@severson.com  
SEVERSON & WERSON  
One Embarcadero Center, Suite 2600  
San Francisco, CA 94111  
Telephone: (415) 398-3344  
Facsimile: (415) 956-0439

*Counsel for Defendant Wells Fargo  
Bank, N.A. (sued also as Wells Fargo  
Home Mortgage and America's  
Servicing Company)*

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA — SAN FRANCISCO DIVISION

15 KEITH AND YING FORSTER, et al.,

16 Plaintiffs,

17 vs.

18 WELLS FARGO BANK, N.A., WELLS  
19 FARGO HOME MORTGAGE, AND  
20 AMERICA'S SERVICING COMPANY,

21 Defendants.

Case No.: 10-cv-05321 RS

**STIPULATION AND ~~[PROPOSED]~~  
ORDER OF DISMISSAL  
WITH PREJUDICE**

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, and having entered into a written settlement agreement resolving the claims at issue in this action ("Action"), plaintiffs Keith and Ying Forster and Michelle Wilkinson ("Plaintiffs") and defendant Wells Fargo Bank, N.A. (sued also as Wells Fargo Home Mortgage and America's Servicing Company) ("Wells Fargo") stipulate and request the Court to enter judgment in this case as follows:

1. Dismissing the entire action with prejudice as to all parties and as to all causes of action.

2. Retaining jurisdiction over Plaintiffs and Wells Fargo to enforce the settlement in full of all its terms.

3. Unless otherwise provided by the parties' settlement agreement, the parties shall bear their own fees and costs incurred in connection with the matter.

DATED: December 11, 2013

SCHUBERT JONCKHEER & KOLBE LLP

By: /s/ Willem F. Jonckheer  
Willem F. Jonckheer

Attorneys for Plaintiffs

DATED: December 11, 2013

SEVERSON & WERSON  
A Professional Corporation

By: /s/ Kalama M. Lui-Kwan  
Kalama M. Lui-Kwan

Attorneys for Defendant  
Wells Fargo Bank, N.A. (sued also as  
Wells Fargo Home Mortgage and  
America's Servicing Company)

I, Willem F. Jonckheer, am the ECF user whose identification and password are being used to file this Stipulation. I hereby attest that Kalama M. Lui-Kwan has concurred in this filing.

/s/ Willem F. Jonckheer  
Willem F. Jonckheer

**PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

DATED: 12/12/13

  
THE HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE