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3 CLAUDIA MOURAD, ESQ. (SBN 211139)

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5 **HERSHORIN & HENRY LLP**

6 27422 Portola Parkway, Suite 360

7 Foothill Ranch, California 92610

8 Phone: (949) 859-5600 / Fax: (949) 859-5680

9 Attorneys for Plaintiff, FEDERAL DEPOSIT

10 INSURANCE CORPORATION, as Receiver

11 for Downey Savings & Loan Association, F.A.

12 **UNITED STATES DISTRICT COURT**

13 **CENTRAL DISTRICT OF CALIFORNIA – NORTHERN DIVISION**

14 FEDERAL DEPOSIT INSURANCE  
15 CORPORATION, as Receiver for  
16 Downey Savings and Loan Association,  
17 F.A.,

18 Plaintiff,

19 vs.

20 AMERICAN PRIME FUNDING, INC.,  
21 a dissolved Nevada corporation; et al.;

22 Defendants.

CASE NO. : 11-cv-00996-SC

**VOLUNTARY STIPULATION TO  
DISMISS DEFENDANT FLOR  
MENDOZA, AN INDIVIDUAL,  
FROM THE ACTION, WITH  
PREJUDICE**

**[FRCP 41(a)(1)(A)(ii)]**

Action Filed: October 7, 2010

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25 **TO THE COURT, ALL APPEARING PARTIES AND THEIR**  
26 **RESPECTIVE ATTORNEYS OF RECORD:**

27 WHEREAS Defendant FLOR MENDOZA (“Mendoza”), an individual, was  
28 named as a defendant and was served with the summons and complaint in the

1 above-captioned action;

2 WHEREAS this Stipulation does not affect, alter or release any claim, cause  
3 of action or defense asserted by any other parties in this action;

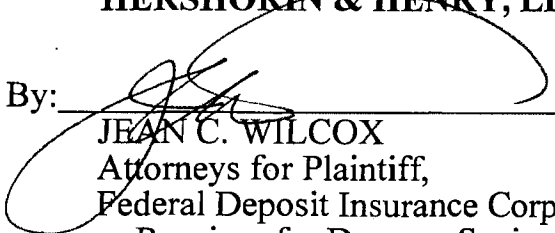
4 WHEREAS Plaintiff FEDERAL DEPOSIT INSURANCE CORPORATION,  
5 as Receiver for Downey Savings and Loan Association, F.A. ("Plaintiff") desires to  
6 dismiss Mendoza with prejudice from this action, in exchange for which Mendoza  
7 has agreed to be responsible for her own attorney's fees and costs she has incurred,  
8 if any; and

9 WHEREAS counsel for Plaintiff is duly authorized by her client to enter into  
10 this Stipulation; and Defendant is duly authorized to enter into this Stipulation;

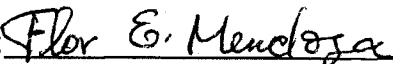
11 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between all  
12 parties who have appeared in this action that Defendant FLOR MENDOZA, an  
13 individual, may be dismissed from the action with prejudice.

14  
15 DATED: May 51 2012

**HERSHORIN & HENRY, LLP**

16  
17 By:   
18 JEAN C. WILCOX  
19 Attorneys for Plaintiff,  
20 Federal Deposit Insurance Corporation,  
as Receiver for Downey Savings &  
Loan Association, F.A.

21 DATED: May 05 2012

22  
23 By:   
24 FLOR MENDOZA,  
25 Defendant in Pro Se  
26  
27  
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1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA**

3 **COUNTY OF ORANGE**

4 I am employed in the County of Orange, State of California. I am over the age of 18  
5 years and not a party to the within action. My business address is 27422 Portola Parkway,  
6 Suite 360, Foothill Ranch, CA 92610.

7 On June 15, 2012, I served the following document(s) described as:

8 **VOLUNTARY STIPULATION TO DISMISS DEFENDANT FLOR  
MENDOZA, AN INDIVIDUAL, FROM THE ACTION, WITH PREJUDICE**

9 on all interested parties in this action by placing a true copy(ies) thereof enclosed in sealed  
10 envelope(s) addressed as follows:

11 Flor Mendoza 1102 Monte Cristo Ave. Modesto, CA 95350-2904	Defendant
12 Flor Mendoza 13 5400 Sherwood Way 14 San Ramon, CA 94582	
15 Sid Luscutoff, Esq. LUSCUTOFF, LENDORMY & 16 ASSOCIATES 400 Montgomery Street, 6 <sup>th</sup> Floor 17 San Francisco, CA 94104	
	Attorney for Defendant Stephan Dessus

18  
19 [X] **(BY MAIL)** I caused each such envelope(s), with postage thereon fully prepaid, to be  
20 placed in the United States mail at Foothill Ranch, California. I am readily familiar  
21 with the practice of this law firm for collection and processing of correspondence for  
mailing, said practice being that in the ordinary course of business, mail is deposited  
in the United States Postal Service the same day as it is placed for collection.

22 [X] **(FEDERAL)** I hereby certify that I am employed in the office of a member of the Bar  
23 of this Court at whose discretion the service was made. I declare under penalty of  
24 perjury under the laws of the United States of America that the above is true and  
correct.

25 Executed on June 15, 2012, at Foothill Ranch, California.

26   
27 MARLA FORTNER  
28

1 JEAN C. WILCOX, ESQ. (SBN 097963)  
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12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION**

14 FEDERAL DEPOSIT INSURANCE  
15 CORPORATION, as Receiver for  
16 Downey Savings and Loan Association,  
17 F.A.,

18 Plaintiff,

19 vs.

20 AMERICAN PRIME FUNDING, INC.,  
21 a dissolved Nevada corporation; et al.;

22 Defendants.

CASE NO. : 11-cv-00996-SC

~~[PROPOSED]~~  
**ORDER TO DISMISS DEFENDANT  
FLOR MENDOZA, AN INDIVIDUAL,  
FROM THE ACTION, WITH  
PREJUDICE**

**[FRCP 41(a)(1)(A)(ii)]**

Action Filed: October 7, 2010

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25 WHEREAS Plaintiff FEDERAL DEPOSIT INSURANCE CORPORATION,  
26 as Receiver for Downey Savings and Loan Association, F.A., and Defendant FLOR  
27 MENDOZA, an individual, have stipulated that she shall be dismissed from the  
28 above-captioned action with prejudice;

1 NOW, THEREFORE, it is hereby ordered that Defendant FLOR  
2 MENDOZA, an individual, is hereby dismissed from this action with prejudice.

3  
4 DATED: 6/18/12

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7 SAMUEL C. CONTI  
8 United States District Judge  
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Defendant

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15 Sid Luscutoff, Esq.  
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25 Executed on June 15, 2012, at Foothill Ranch, California.

26   
27 MARIA FORTNER  
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