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3 CLAUDIA MOURAD, ESQ. (SBN 211139)

4 Email: [claudiam@hhlawgroup.com](mailto:claudiam@hhlawgroup.com)

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 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO 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

**STIPULATION FOR DISMISSAL  
WITH PREJUDICE OF DEFENDANT  
STEPHANE DESSUS, AN  
INDIVIDUAL**

**[Proposed Order Submitted  
Concurrently]**

Action Filed: October 7, 2010

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

27 **WHEREAS STEPHANE DESSUS, an individual (“Dessus”) was named and**  
28 **appears as a Defendant in the above-captioned action;**

1 WHEREAS Plaintiff, FEDERAL DEPOSIT INSURANCE CORPORATION as  
2 Receiver for Downey Savings and Loan Association ("FDIC-R"), has reached a  
3 settlement with Dessus the terms of which Dessus has fully performed;

4 WHEREAS the FDIC-R is now obligated to dismiss Dessus *with* prejudice  
5 from the action; and

6 WHEREAS counsel for the FDIC-R and Dessus are duly authorized to enter  
7 into this Stipulation.

8 NOW, THEREFORE, it is hereby stipulated and agreed between the FDIC-R  
9 and Dessus that Dessus should be dismissed from the action *with* prejudice and the  
10 parties hereto request that the Court issue its Order dismissing Dessus as is proposed  
11 and submitted concurrent with this stipulation.

12  
13 DATED: June 7, 2012

HERSHORIN & HENRY LLP

14  
15 By 

16 JEAN C. WILCOX  
17 Attorneys for Plaintiff,  
18 FEDERAL DEPOSIT INSURANCE  
19 CORPORATION, as Receiver for  
20 Downey Savings & Loan Association,

21  
22 DATED: 6/18/2012

LUSCUTOFF, LENDORMY &  
ASSOCIATES

23  
24 By 

25 SID LUSCUTOFF  
26 Attorneys for Defendant,  
27 STEPHANE DESSUS  
28

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 26, 2012, I served the following document(s) described as:

8 **STIPULATION FOR DISMISSAL WITH PREJUDICE OF DEFENDANT**  
9 **STEPHANE DESSUS, AN INDIVIDUAL**

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

12 Sid Luscutoff, Esq.  
13 LUSCUTOFF, LENDORMY &  
ASSOCIATES  
400 Montgomery Street, 6<sup>th</sup> Floor  
San Francisco, CA 94104

Attorney for Defendant Stephan Dessus

14 [X] **(BY MAIL)** I caused each such envelope(s), with postage thereon fully prepaid, to be  
15 placed in the United States mail at Foothill Ranch, California. I am readily familiar  
16 with the practice of this law firm for collection and processing of correspondence for  
17 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.

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

21 Executed on June 26, 2012, at Foothill Ranch, California.

22   
23 MARLA FORTNER  
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28

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22 Defendants.

CASE NO.: 11-CV-00996-SC

**~~[PROPOSED]~~**  
**ORDER DISMISSING WITH**  
**PREJUDICE DEFENDANT**  
**STEPHANE DESSUS, AN**  
**INDIVIDUAL**

**[Stipulation for Dismissal Submitted**  
**Concurrently]**

Action Filed: October 7, 2010

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26 The Court, having considered the Stipulation for Dismissal With Prejudice of  
27 Defendant STEPHANE DESSUS, an individual; and

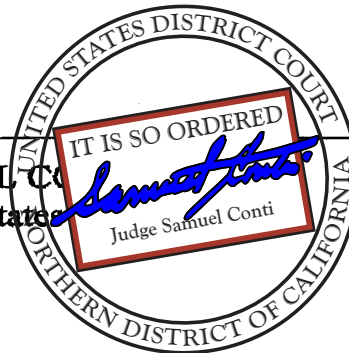
28 Being thereby advised that STEPHANE DESSUS, an individual, has fully

1 performed the obligations he agreed to in settlement of all claims against him alleged  
2 in this action;

3 NOW, THEREFORE, it is hereby ordered that STEPHANE DESSUS, an  
4 individual, be hereby dismissed with prejudice from this action.

5  
6 DATED: 6/26/12

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8  
9 SAMUEL CO  
10 United States



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18 Approved as to Form:

19 LUSCUTOFF, LENDORMY &  
20 ASSOCIATES

21  
22 By: \_\_\_\_\_

23 SID LUSCUTOFF  
24 Attorney for Defendant,  
25 Stephane Dessus, an individual  
26  
27  
28

6/18/2012

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