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7 Attorneys for Defendants  
JPMORGAN CHASE BANK, N.A., for itself and as acquirer of certain assets and liabilities of  
8 Washington Mutual Bank (erroneously sued herein as Washington Mutual Bank)

9  
10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 CHARLAMAIN LOZANO,  
13 Plaintiff,

14 v.

15 WELLS FARGO BANK, N.A.;  
WASHINGTON MUTUAL BANK; WORLD  
16 SAVINGS, INC.; GOLDEN WEST  
SAVINGS ASSOCIATION SERVICE CO.’  
17 NDEX WEST, LLC; LSI TITLE COMPANY;  
LPS AGENCY SALES AND POSTING,  
18 INC.; and DOES, 1 through 100, inclusive,  
19 Defendants.

Case No. 3:12-CV-00183-CRB

[The Honorable Charles R. Breyer]

**[PROPOSED] JUDGMENT OF  
DISMISSAL WITH PREJUDICE**

Date Action Filed: December 2, 2011

Date Action Removed: January 11, 2012

20 On March 1, 2012, Plaintiff Charlamaine Lozano filed a dismissal as to the entire action  
21 (Document No. 18), including defendant JPMORGAN CHASE BANK, N.A., as acquirer of  
22 certain assets and liabilities of Washington Mutual Bank, which was erroneously named as  
23 defendant WASHINGTON MUTUAL BANK.

24 On September 25, 2008, the Office of Thrift Supervision closed Washington Mutual and  
25 appointed the FDIC as receiver. On the same date, Chase entered into a Purchase and Assumption  
26 Agreement (“P&A Agreement”) with the FDIC acting in its corporate capacity and as receiver for  
27 Washington Mutual. The P&A Agreement is a matter of public record, as the FDIC is a  
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1 governmental entity.<sup>1</sup>

2 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

3 1. This action is dismissed with prejudice as against defendant JPMORGAN CHASE  
4 BANK, N.A.; and

5 2. Plaintiff Charlamaine Lozano will take nothing from defendant JPMORGAN  
6 CHASE BANK, N.A. in this action.

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10 Dated: April 11, 2012



11 HONORABLE CHARLES R. BREYER  
12 UNITED STATES DISTRICT JUDGE

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26 <sup>1</sup> The Court may take judicial notice of the P&A Agreement between the FDIC and Chase, which is published on the  
27 FDIC's official website at [http://www.fdic.gov/about/freedom/Washington\\_Mutual\\_P\\_and\\_A.pdf](http://www.fdic.gov/about/freedom/Washington_Mutual_P_and_A.pdf). Fed. R. Evid. 201;  
28 *Allen v. United Fin. Mortgage Corp.*, 660 F.Supp.2d 1089, 1093-94 (N.D.Cal. 2009 (taking judicial notice of the P &  
A Agreement); *Javaheri v. JPMorgan Chase Bank, N.A.*, 2011 WL 97684 at \*2 (C.D. Cal. Jan. 11, 2011) (same);  
*Johnson v. Washington Mutual*, 2010 WL 682456 at \*4 (E.D. Cal. Feb. 24, 2010) (same).