

1 Eric D. Houser (SBN 130079)
 2 Kaitlyn Q. Think (SBN 253289)
 3 HOUSER & ALLISON, APC
 3760 Kilroy Airport Way, Suite 260
 4 Long Beach, CA 90806
 4 Tel. (949) 679-1111
 4 Fax: (949) 679-1112
 5 E-mail: kthink@houser-law.com

6 Attorneys for Defendants,
 7 Litton Loan Servicing LP; and Ocwen Loan Servicing, LLC

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 9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

12 LARRY MONTGOMERY, an individual

13 Plaintiff,

14 vs.

15 NATIONAL CITY MORTGAGE, A
 16 DIVISION OF NATIONAL CITY BANK OF
 17 INDIANA; PNC BANK; LITTON LOAN
 18 SERVICING; OCWEN LOAN SERVICING,
 19 LLC; AND DOES 1-100 INCLUSIVE

20 Defendants.

Case No.: 3:12-cv-01359 EMC
 Judge: Hon. Edward M. Chen

**[PROPOSED] ORDER DISMISSING
 ACTION WITH PREJUDICE
 PURSUANT TO STIPULATION BY
 THE PARTIES**

[F.R.C.P. 41(a)(1)(A)(ii)]

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 25 Plaintiff LARRY MONTGOMERY and Defendants LITTON LOAN SERVICING LP
 26 and OCWEN LOAN SERVICING, LLC have jointly stipulated to dismiss this action with
 27 prejudice. Plaintiff's claims against Defendants National City Mortgage and PNC Bank were
 28 dismissed by the Court pursuant to the Court's Order Granting Motion to Dismiss, docket

1 number 30. No other parties have appeared in the action; thus, no other Defendants joined in the
2 Stipulation.

3 The Court having considered the Stipulation Dismissing the Action with Prejudice, its
4 own file, and with good cause showing, orders as follows:

5 1. Pursuant to F.R.C.P. 41(a)(1)(A)(ii), the Action is voluntarily DISMISSED with
6 prejudice pursuant to the Stipulation filed by the Parties.

7 2. Each party is to bear its own fees and costs incurred in litigating this matter.

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10 **IT IS SO ORDERED.**

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Dated: 8/2, 2012

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