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14 Attorneys for Defendants  
 WELLS FARGO BANK, N.A. and  
 15 WELLS FARGO INSURANCE SERVICES  
 USA, INC.

17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA

20 DOUGLAS CORBIN, individually and on  
 behalf of all others similarly situated,

21 Plaintiff,

22 vs.

23 WELLS FARGO BANK, N.A. and WELLS  
 24 FARGO INSURANCE SERVICES USA,  
 INC.,

25 Defendants.  
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Case No. 3:13-cv-1353-JCS

**STIPULATION OF VOLUNTARY  
 DISMISSAL; [~~PROPOSED~~] ORDER**

28 Plaintiff Douglas T. Corbin (“Plaintiff”) and Defendants Wells Fargo Bank, N.A., and

1 Wells Fargo Insurance Services USA, Inc., (“Defendants”) through their attorneys of record,  
2 hereby agree and stipulate as follows:

3 A. Whereas, this case was commenced by Plaintiff when he filed his complaint on  
4 March 26, 2013 (the “Complaint.”)

5 B. Whereas, in the Complaint, Plaintiff made certain allegations against Defendants  
6 relating to Defendants’ commercial property flood insurance requirements which allegations  
7 Plaintiff purported to assert both individually and on behalf of a nationwide class and a California  
8 class of plaintiffs;

9 C. Whereas, Defendants denied that their actions were wrongful in any respect with  
10 regard to Plaintiff and any putative class;

11 D. Whereas, court approval of a settlement, voluntary dismissal or compromise under  
12 Federal Rule of Civil Procedure 23(e) is required only for “certified class” actions and the  
13 Advisory Committee Notes for Rule 23(e) state that court approval is required only if “the claims,  
14 issues, or defenses of a certified class are resolved by a settlement, voluntary dismissal, or  
15 compromise,” rejecting the view that court approval is required for settlements “with putative  
16 class representatives that resolve[] only individual claims.” *See* Rule 23 Advisory Committee  
17 Notes, 2003 Amendments.

18 E. Whereas, Plaintiff has never brought a motion to certify any class in this case and  
19 the Court has never certified any class in this case under Federal Rule of Civil Procedure 23;

20 F. Whereas, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), a plaintiff  
21 may dismiss an action by filing a stipulation of dismissal signed by all parties who have appeared;

22 G. Whereas, the parties have reached a settlement of Plaintiff’s individual claims  
23 against Defendants in which the Plaintiff’s individual claims will be dismissed with prejudice and  
24 the members of any putative class will be dismissed without prejudice;

25 **NOW, THEREFORE, THE PARTIES HEREBY STIPULATE THAT:**

26 All of the individual claims and allegations brought by Douglas T. Corbin against  
27 either Wells Fargo Bank, N.A., Wells Fargo Insurance Services USA, Inc., or the  
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both of them, are hereby dismissed with prejudice. All claims and allegations of any putative class members are hereby dismissed without prejudice.

**IT IS SO STIPULATED.**

DATED: August 22, 2014

SEVERSON & WERSON  
A Professional Corporation

By: /s/ Michael J. Steiner  
Attorneys for Defendants  
WELLS FARGO BANK N.A. and  
WELLS FARGO INSURANCE SERVICES USA,  
INC.

DATED: August 22, 2014

BERGER & MONTAGUE, P.C.

By: /s/ Shanon J. Carson  
Attorneys for Plaintiff  
DOUGLAS T. CORBIN

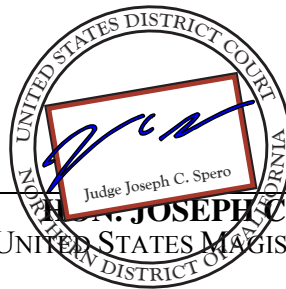
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**[PROPOSED] ORDER**

Pursuant to Rule 23(e) and Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure and pursuant to the stipulation of the parties, Douglas T. Corbin’s individual claims are hereby dismissed with prejudice and the claims of the putative class members are hereby dismissed without prejudice.

**IT IS SO ORDERED.**

Dated: August 27, 2014



**JOSEPH C. SPERO**  
UNITED STATES MAGISTRATE JUDGE

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**ATTESTATION UNDER CIVIL L.R. 5-1(i)(3)**

I, Michael J. Steiner, am the ECF User whose ID and password are being used to file this stipulation of voluntary dismissal and proposed order . In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Shanon J. Carson has concurred in this filing.

/s/ Michael J. Steiner  
Michael J. Steiner