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 U.S. BANK NATIONAL ASSOCIATION, SUCCESSOR IN
 6 INTEREST TO THE FEDERAL DEPOSIT INSURANCE
 CORPORATION AS RECEIVER FOR DOWNEY SAVINGS
 7 AND LOAN ASSOCIATION, F.A.

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 15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

18 MARSHAL ROTHMAN
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 Plaintiff,
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 v.
 21 U.S. BANK NATIONAL
 22 ASSOCIATION
 23 Defendant.

Case No. 3:13-CV-03381-MMC

**STIPULATION AND ORDER OF
 DISMISSAL OF U.S. BANK WITH
 PREJUDICE**

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STIPULATION

Plaintiff, Marshal Rothman (“Rothman”) and Defendant, U.S. Bank National Association, Successor in Interest to the Federal Deposit Insurance Corporation, Receiver for Downey Savings and Loan Association, F.A. (“U.S. Bank”) (collectively, the “Parties”):

1. On July 19, 2013, Rothman filed a Complaint against U.S. Bank and Old Republic Diversified Services, Inc.

2. On June 13, 2014, Rothman filed his Third Amended Complaint against U.S. Bank, which was subsequently supplemented by Rothman with leave of the Court.

3. On April 21, 2015, Rothman and U.S. Bank entered into a confidential Settlement Agreement, which resolved and released all of the claims between the Parties.

4. Pursuant to Rule 41(a)(1)(A)(ii) and/or Rule 4(a)(2), the Third Amended Complaint should be dismissed with prejudice and with each party paying their own attorneys’ fees and costs

STIPULATED AND AGREED TO BY:

Dated: June 12, 2015

GAW | POE LLP

By: /s/Randolph Gaw
Randolph Gaw
Attorneys for Plaintiff
Marshal Rothman

Dated: June 12, 2015

LECLAIRRYAN

By: /s/Robert S. McWhorter
Robert S. McWhorter
Attorneys for Defendant, U.S. Bank National Association, Successor in Interest to the Federal Deposit Insurance Corporation, Receiver for Downey Savings and Loan Association, F.A.

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Order

Based on the foregoing Stipulation, good cause exists:

IT IS HEREBY ORDERED THAT the Third Amended Complaint is dismissed with prejudice and with each party paying their own attorneys' fees and costs.

Dated: June 12, 2015


U.S. District Court Judge