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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

THE BANK OF NEW YORK MELLON (f/k/a The Bank of New York), as Trustee, on behalf of the Trusts listed in Exhibit A; and U.S. BANK NATIONAL ASSOCIATION, as Trustee, on behalf of the Trusts listed in Exhibit B,

Plaintiffs,

v.

CITY OF RICHMOND, CALIFORNIA, a municipality; RICHMOND CITY COUNCIL; MORTGAGE RESOLUTION PARTNERS L.L.C., a Delaware limited liability company; and GORDIAN SWORD LLC, a Delaware limited liability company

Defendant.

Case No.: 13-cv-3664-JCS

**[PROPOSED] ORDER RE:
STIPULATION FOR FILING OF
SECOND AMENDED COMPLAINT**

1 WHEREAS, on August 7, 29013, The Bank of New York Mellon (f/k/a The Bank of
2 New York), as trustee, initiated this action against Defendants (the “Action”);

3 WHEREAS, on August 9, 2013, The Bank of New York Mellon filed the First
4 Amended Complaint, which added an additional trustee as plaintiff, U.S. Bank National
5 Association;

6 WHEREAS, The Bank of New York Mellon Trust Company, N.A. (f/k/a The Bank of
7 New York Trust Company, N.A.), Wilmington Trust Company, and Wilmington Trust,
8 National Association, as trustees, seek relief against Defendants arising out of the same series
9 of occurrences;

10 THE PARTIES STIPULATED through their respective attorneys that Plaintiffs may
11 file a Second Amended Complaint, a copy of which is attached to the Stipulation For Filing
12 of Second Amended Complaint (the “Stipulation”). The Second Amended Complaint adds
13 The Bank of New York Mellon Trust Company, N.A. (f/k/a The Bank of New York Trust
14 Company, N.A.), Wilmington Trust Company, and Wilmington Trust, National Association,
15 as trustees, as Plaintiffs, and contains other minor revisions.

16 THE PARTIES FURTHER STIPULATED that the Second Amended Complaint is
17 deemed filed on the date of entry of the Court’s order pursuant to the Stipulation.

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19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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21 Dated: _____

22 Hon. Joseph C. Spero
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