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6 DOROTHY C. GIESEKE and  
 7 DONALD GIESEKE

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

10 DOROTHY C. GIESEKE and  
 11 DONALD GIESEKE,

Case No.: 13-cv-04772-JST

**STIPULATION OF DISMISSAL**

12 Plaintiff,

13 vs.

14 BANK OF AMERICA, N.A., SPECIALIZED  
 15 LOAN SERVICING LLC and US BANK, N.A.,  
 16 as Trustee for THE CERTIFICATEHOLDERS  
 17 OF BANC OF AMERICA FUNDING  
 18 CORPORATION MORTGAGE PASS-  
 19 THROUGH CERTIFICATES, SERIES 2007-D  
 20 Defendant(s).

**TO THE COURT AND ALL PARTIES:**

21 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs, DOROTHY C.  
 22 GIESEKE and DONALD GIESEKE, and Defendants, BANK OF AMERICA, N.A., and US  
 23 BANK, N.A., as Trustee for THE CERTIFICATEHOLDERS OF BANC OF AMERICA  
 24 FUNDING CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES  
 25 2007-D (collectively the “Parties”) by and through their attorneys, hereby stipulate and agree as  
 26 follows:

- 27 1. Plaintiffs’ DOROTHY C. GIESEKE and DONALD GIESEKE’s Complaint is
- 28 hereby dismissed.

**STIPULATION OF DISMISSAL**

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2. Parties per settlement agreement hereby agree to dismiss BANK OF AMERICA, N.A., and US BANK, N.A., as Trustee for THE CERTIFICATEHOLDERS OF BANC OF AMERICA FUNDING CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-D with prejudice, disposing of the entire case.

3. The Parties shall bear their own attorneys' fees and costs in connection with the above-referenced action.

Dated: February 9, 2017

LAW OFFICES OF CHARLES T. MARSHALL

/s/ Charles T. Marshall  
Charles T. Marshall  
Attorneys for Plaintiffs  
DOROTHY C. GIESEKE and  
DONALD GIESEKE

DATED: February 8, 2017

SEVERSON AND WERSON

By: /s/ Brian S. Whittemore  
Brian S. Whittemore  
Attorneys for Defendants,  
BANK OF AMERICA, N.A., and US BANK,  
N.A., as Trustee for THE  
CERTIFICATEHOLDERS OF  
BANC OF AMERICA FUNDING  
CORPORATION MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES 2007-D

~~PROPOSED~~ ORDER

The Court, having reviewed the stipulation of DOROTHY C. GIESEKE and DONALD GIESEKE, and Defendants, BANK OF AMERICA, N.A., and US BANK, N.A., as Trustee for THE CERTIFICATEHOLDERS OF BANC OF AMERICA FUNDING CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-D, and good cause appearing, hereby orders as follows:

1. Plaintiffs DOROTHY C. GIESEKE and DONALD GIESEKE’s Complaint is hereby dismissed.
2. Parties hereby per settlement agreement dismiss BANK OF AMERICA, N.A., and US BANK, N.A., as Trustee for THE CERTIFICATEHOLDERS OF BANC OF AMERICA FUNDING CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-D with prejudice, disposing of the entire case.
3. The Parties shall bear their own attorneys’ fees and costs in connection with the above-referenced action.

**IT IS SO ORDERED.**

Dated: February 9, 2017

  
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 Honorable United States Judge  
 Northern District of California