RSPM\53134\994425.1 -1- Case No. 15-cv-05534-EMC

| 1 | 2. On January 19, 2016, FDIC-R objected as to RPM's assertions of |
|----|---|
| 2 | comparative fault and assumption of risk as affirmative defenses. That same date, RPM agreed to |
| 3 | amend its answer to remove the comparative fault and assumption of risk defenses. |
| 4 | 4. On January 21, 2016, the deadline for RPM to amend its answer as a matter |
| 5 | of course under Rule 15(a)(1)(A) of the Federal Rules of Civil Procedure passed. |
| 6 | 5. RPM wishes to amend its answer in this case to eliminate the comparative |
| 7 | fault and assumption of risk defenses. |
| 8 | 6. THE PARTIES HERETO STIPULATE AND AGREE, by and through |
| 9 | their respective attorneys, that Defendant RPM may file an Amended Answer to Complaint in the |
| 10 | above-referenced action in the form attached as Exhibit "A" hereto. The proposed Amended |
| 11 | Answer eliminates the defenses of comparative fault and assumption of risk. IT IS SO |
| 12 | STIPULATED. |
| 13 | |
| 14 | Dated: March 1, 2016 MORTGAGE RECOVERY LAW GROUP LLP |
| 15 | |
| 16 | By: /s/ Dana J. Clausen |
| 17 | PAUL A. LEVIN |
| 18 | DANA J. CLAUSEN FEDERAL DEPOSIT INSURANCE |
| 19 | CORPORATION as Receiver for AMTRUST BANK |
| 20 | |
| 21 | Dated: March 1, 2016 MILLER STARR REGALIA |
| 22 | |
| 23 | By: /s/ David E. Harris |
| 24 | DAVID E. HARRIS Attorneys for RPM MORTGAGE, INC., a |
| 25 | California corporation d/b/a RESIDENTIAL |
| 26 | PACIFIC MORTGAGE, INC., erroneously sued as f/k/a NL, INC. |
| 27 | |
| 28 | |

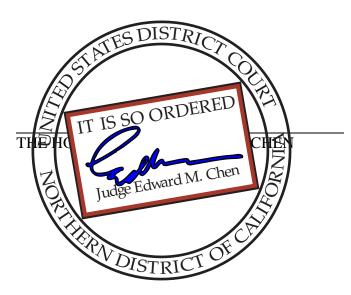
RSPM\53134\994425.1 M\53134\994425.1 -2- Case No. 15-cv-05534-E STIPULATION PERMITTING DEFENDANT RPM MORTGAGE, INC. TO FILE AMENDED ANSWER Case No. 15-cv-05534-EMC

ORDER

GOOD CAUSE APPEARING:

IT IS ORDERED that Defendant RPM MORTGAGE, INC., a California corporation d/b/a RESIDENTIAL PACIFIC MORTGAGE, f/k/a NL, INC. may file an amended answer in Case No. 15-cv-05534-EMC in the form of Exhibit "A" attached hereto.

DATED: _____3/1/16



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