

1 Andrew J. Ogilvie (SBN 57932)
 2 Kemnitzer, Anderson, Barron, Ogilvie & Brewer, LLP
 3 445 Bush Street, 6th Floor
 4 San Francisco, CA 94108
 5 Ph: (415) 861-2265
 6 Fax: (415) 861-3151
 7 ajogil@kabolaw.com

8 Robert S. Sola *Pro hac vice*
 9 Robert S. Sola, P.C.
 10 8835 S.W. Canyon Lane, Suite 130
 11 Portland, Oregon 97225
 12 Ph: (503) 295-6880
 13 Fax: (503) 291-9172
 14 rssola@msn.com

15 Attorneys for Plaintiff Emelia M. Pasternak

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

17	EMELIA M PASTERNAK,)	Case No. 4:07-cv-04980-CW (BZ)
)	
18	Plaintiff,)	
)	ORDER DISMISSING WITH
19	v.)	PREJUDICE THE THIRD CLAIM
)	AGAINST CAPITAL ONE BANK
20	TRANS UNION, LLC, et al,)	(USA) N.A. FOR ALLEGED
)	VIOLATIONS OF 15 USC 1681s-
21	Defendants.)	2(b)
22)	

23
 24 Plaintiff Emelia M. Pasternak and Defendant Capital One Bank (USA) N.A.,
 25 having jointly submitted a stipulation to dismiss the Third Claim in Plaintiff's
 26 operative pleading in this matter and for good cause demonstrated,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1. The Third Claim for relief in the First Amended Complaint, entitled ‘Third Claim: Capital One’s Violations of 15 USC § 1681s-2(b),’ is dismissed with prejudice, each party to bear its own costs with respect to this claim.

IT IS SO ORDERED.

10/6/08

DATED: _____



Claudia Wilken
United States District Judge