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6 Attorneys for Defendants
 EMC MORTGAGE CORPORATION AND CITIBANK, N.A.,
 7 AS TRUSTEE FOR CERTIFICATE HOLDERS OF
 STRUCTURED ASSET MORTGAGE INVESTMENTS II
 8 TRUST 2007-AR6, MORTGAGE PASS-THROUGH
 CERTIFICATES, SERIES 2007-AR6

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

11 DAVID S. MEDINA and STEVEN MEDINA aka
 12 STEVEN SALCEDO,
 13 Plaintiff,
 14
 15 v.
 16 EMC Mortgage Corporation, OneWest Bank FSB
 by acquisition of Indymac Bank FSB and
 Citibank, N.A., As Trustee For Certificateholders
 17 of Structured Asset Mortgage Investments II
 Trust 2007-AR6, Mortgage Pass-Through
 18 Certificates, Series 2007-AR6
 19 Defendants.
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CASE NO.: 09-cv-04830 CW

JUDGE: Hon. Claudia Wilken

**AMENDED ORDER DISMISSING
 PLAINTIFF'S COMPLAINT WITH
 PREJUDICE**

DATE: September 2, 2010

TIME: 2:00 PM

CTRM: "2"

ACTION FILED: October 9, 2009

23 The Motion of Defendants EMC Mortgage Corporation ("EMC") and Citibank, N.A., as
 24 Trustee for Certificateholders of Structured Asset Mortgage Investments II Trust 2007-AR6,
 25 Mortgage Pass-Through Certificates Series 2007-AR6 ("Citibank" and collectively, "Defendants"),
 26 for an order dismissing the First Amended Complaint ("FAC") of plaintiffs David S. Medina and
 27 Steven Medina aka Steven Salcedo ("Plaintiffs") with prejudice against Defendants was taken under
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submission on the papers.

After full consideration of the evidence, having reviewed the papers in support of the Motion, the Court rules as follows:

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT:

1. The Motion to Dismiss is granted for Plaintiffs' failure to file a further amended complaint.
2. The complaint against One West Bank FSB is dismissed for the same reason.
3. In this action, the FAC in its entirety is dismissed with prejudice as to all Defendants.
4. Defendants are entitled to a judgment.

Claudia Wilken

DATED: September 10, 2010

By: _____
Honorable Claudia Wilken
United States District Court Judge