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9  
 10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

12 RANDY MEADOWS,  
 13 Plaintiff,

14 vs.

15 FIRST AMERICAN TRUSTEE  
 16 SERVICING SOLUTIONS, LLC, et al,  
 17 Defendants.

) CASE NO. 4:11-cv-05754-YGR  
 )

) Assigned to: Hon. Yvonne Gonzalez Rogers  
 )

) ~~PROPOSED~~ ORDER ON  
 ) STIPULATION OF NON-MONETARY  
 ) STATUS OF DEFENDANT FIRST  
 ) AMERICAN TRUSTEE SERVICING  
 ) SOLUTIONS, LLC  
 )  
 )  
 )

18 Pursuant to the Stipulation of Non-Monetary Status of Defendant First American Trustee  
 19 Servicing Solutions, LLC (“FATSS” or “LOANSTAR”), filed with the Court on December 8, 2011, and  
 20 good cause appearing therefor;

21 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

22 WHEREAS, Plaintiff filed this action for damages and equitable relief on November 30, 2011,  
 23 regarding a deed of trust foreclosure involving real property located at, and commonly known as 6540  
 24 Springpath Lane, San Jose, California (the “Property”).

25 WHEREAS, LOANSTAR is the successor foreclosure trustee under the deed of trust that is the  
 26 subject of this action (“Deed of Trust”), appointed by the beneficiary Wells Fargo. In that capacity,  
 27

1 LOANSTAR was not involved in the initiation or servicing of the subject loan, but rather acted solely as  
2 a foreclosure trustee in the initiation of non-judicial foreclosure proceedings;

3 WHEREAS, LOANSTAR has been named as a necessary defendant in this action solely in its  
4 capacity as a trustee under the deed of trust, and has not been named as a defendant due to any known  
5 acts or omissions on its part in the performance of its duties as a trustee;

6 WHEREAS, the Federal Rules of Civil Procedure do not provide for LOANSTAR, as a non-  
7 judicial foreclosure trustee, the option of filing a Declaration of Non-Monetary Status, pursuant to the  
8 provisions of California Civil Code § 2924l, in lieu and instead of an answer or other response to  
9 Plaintiff's Complaint;  
10

11 WHEREAS, LOANSTAR is nevertheless prepared to consent and agree to be bound by the  
12 order or judgment of this Court in the within action as provided by said Cal. Civil Code § 2924l, so long  
13 as such order or judgment does not contain an award of money damages, costs, attorney's fees or other  
14 affirmative relief against LOANSTAR;

15 Accordingly, LOANSTAR is not required to respond to the Complaint, respond to discovery  
16 requests, or otherwise further participate in this action.  
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18 SO ORDERED,

19  
20 Dated: May 11, 2012



21 YVONNE GONZALEZ ROGERS  
22 UNITED STATES DISTRICT JUDGE  
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