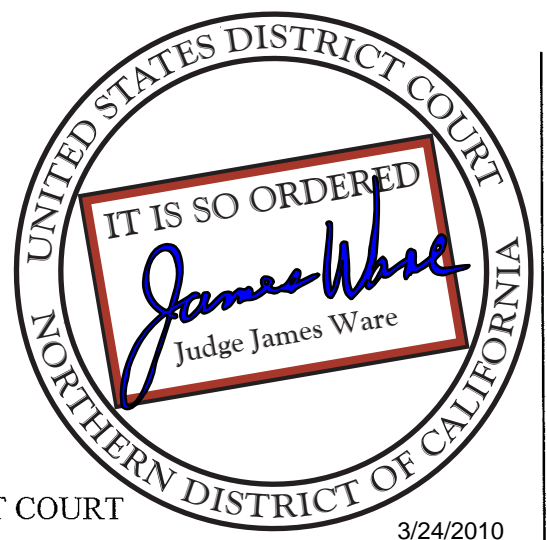


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Attorneys for Plaintiffs



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN JOSE)

3/24/2010

BERENICE GONZALEZ AND JOSE URTIZ, JORGE AGUIRRE, ELEAZAR BECERRA AND ROCIO BECERRA, J. GUADALUPE CONTRERAS AND TERESA CONTRERAS, all individually and on behalf of the general public,

Plaintiffs,

v.

VCH SALINAS I LLC dba VALLEY COMMUNITY HOMES and as MONTE BELLA REALTY, NORM YOP INC. REALTORS dba MONTE BELLA REALTY, MONICA FARANDA dba as MONTE BELLA REALTY, UNIVERSAL MORTGAGE & SALES INC., IRA MORTGAGE & HOME SALES, INC., AMERICAN PACIFIC MORTGAGE CORP. dba as CREATIVE MORTGAGE, OLD REPUBLIC TITLE CO., COUNTRYWIDE HOME LOANS INC. dba AMERICA'S WHOLESALE LENDER, COUNTRYWIDE FINANCIAL CORP., NEW CENTURY MORTGAGE CORP., HOMEQ SERVICING CORP., CAMERON FINANCIAL GROUP INC., WELLS FARGO BANK, and DOES 1 TO 100, inclusive,

Defendants.

CASE NO. CV 07 05698 JW

NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE OF DEFENDANTS AMERICAN PACIFIC MORTGAGE CORP. AND HOMEQ SERVICING CORP. AND STIPULATION OF REMAINING PARTIES UNDER FRCP 41(a)(1)(A)(ii)

Dockets.Justia.com

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) Plaintiff Jorge Aguirre hereby
2 dismisses with prejudice Defendant American Pacific Mortgage Corp. and Defendant HomEq
3 Servicing Corp. whose proper name is Barclays Real Estate Capital, Inc. dba HomEq Servicing as
4 successor in interest to HomEq Servicing Corp., with each party to bear its own fees and costs.

5 DATED: MARCH 18, 2010

PATANE GUMBERG, LLP

6 _____/s_____

7 Nina Patane/Sergio H. Parra
8 Attorneys for Plaintiffs

9 DATED: MARCH 18, 2010

MANNING & MARDER, KASS, ELLROD,
RAMIREZ LLP

10 _____/s_____

11 Peter Catalanotti/Michael Smith/Madonna Herman
12 Attorneys for Defendant American Pacific Mortgage
13 Corp. dba Creative Mortgage

14 DATED: MARCH 18, 2010

ROBINSON TAIT, P.S.

15 _____/s_____

16 Nicolas Daluiso
17 Attorney for Defendant HomEq Servicing Corp.

18 **STIPULATION OF ALL REMAINING PARTIES REQUIRED BY FRCP 41(a)(1)(A)(ii)**

19 March 18, 2010

_____/s_____

Sanford Shatz

Countrywide Home Loans Inc. & Countrywide Financial Corp.

20 **ORDER**

21 **IT IS SO ORDERED.**

22 Defendants American Pacific Mortgage Corp. and HomEq Servicing Corp. whose proper
23 name is Barclays Real Estate Capital, Inc. dba HomEq Servicing as successor in interest to HomEq
24 Servicing Corp. are dismissed with prejudice with each party to bear its own fees and costs.

25 Dated: March 24, 2010

26 
27 _____
28 U.S. DISTRICT COURT JUDGE

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA – US DISTRICT COURT, N.D. OF CALIFORNIA

3 I declare that I am employed in the County of Monterey, State of California. I am
4 over the age of eighteen years and not a party to the within cause; my business address is Patane &
5 Gumberg, 4 Rossi Circle, Suite 231, Salinas, California 93907.

6 On March 18, 2010, I served the foregoing document(s) described as:

7 **NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE OF DEFENDANTS AMERICAN PACIFIC**
8 **MORTGAGE CORP. AND HOMEQ SERVICING CORP. AND STIPULATION OF REMAINING PARTIES**
9 **UNDER FRCP 41(a)(1)(A)(ii)**

10 () BY FACSIMILE - By transmitting via facsimile the document(s) listed above to the
11 fax number(s) set forth below on this date from 4 Rossi Circle, Suite 231, Salinas,
12 California 93907. The transmitting facsimile machine telephone number is 831-
13 755-1477. A transmission report was properly issued by the transmitting facsimile
14 machine, and a copy of said transmission report is attached hereto.

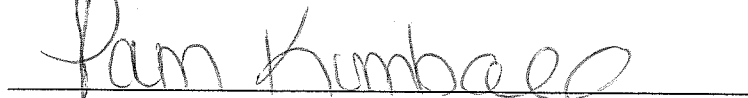
15 () BY MAIL - By placing the documents listed above in a sealed envelope, addressed
16 as set forth below. I am readily familiar with the firm's practice for the collection
17 and processing of correspondence. Under that practice it would be deposited with
18 U.S. POSTAL SERVICE on that same day with postage thereon fully prepaid at
19 Salinas, California, in the ordinary course of business. I am aware that on motion
20 of the party served, service is presumed invalid if postal cancellation date or
21 postage meter date is more than one day after date of deposit for mailing in
22 affidavit.

23 (X) BY ELECTRONIC TRANSMISSION: by transmitting the documents above listed
24 via the Court's electronic filing system to the persons at the emails and contact
25 information set forth herein. The transmission was completed without error before
26 5:00 pm.

27 **[SEE ATTACHED LIST].**

28 I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.

Executed on March 18, 2010 at Salinas, California.


PAM KIMBALL

SERVICE MAILING LIST

Gonzalez v. VCH Salinas I, LLC, et al., U.S. Dist. Ct., N.D. Cal. Case No. C0705698 JW

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