

** E-Filed 7/15/2010**

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

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CARLOS PACHECO, an individual,
Plaintiff,
vs.
HOMECOMINGS FINANCIAL, LLC, a
Delaware limited liability company;
MORTGAGEIT, INC., a New York
corporation; and DEUTSCHE BANK TRUST
COMPANY AMERICAS, as Trustee for RALI
2005-Q05,
Defendants.
MORTGAGEIT, INC., a New York
corporation,
Third Party Plaintiff,
vs.
RELC, Inc. dba REAL ESTATE LOAN
CENTER, a California corporation, NANCY
LINDNER, an individual; PEDRO REYES, an
individual,
Third Party Defendants.

Case No. 5:08-cv-03002-JF
Honorable Jeremy Fogel
~~PROPOSED~~ JUDGMENT

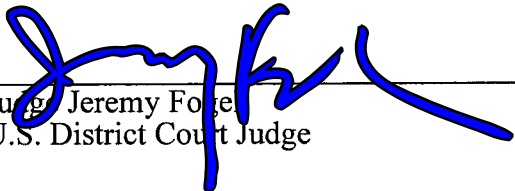
Complaint Filed: May 15, 2008
Case Removed: June 18, 2008
SAC Filed: December 29, 2009
Trial Date: January 10, 2011

1 This action came on for hearing on a Motion for Summary Judgment brought by defendants
2 MortgageIT, Inc. ("MortgageIT"), Homecomings Financial, LLC ("Homecomings Financial") and
3 Deutsche Bank Trust Company Americas, as Trustee for RALI 2005-Q05 ("DBTCA") (collectively
4 "Defendants"). The Court held oral argument on the Motion for Summary Judgment on June 25,
5 2010, at which time it took the matter under submission.

6 On June 29, 2010, the Court issued its Order Granting Defendants' Motion for Summary
7 Judgment ("Order"), a copy of which is attached hereto as Exhibit A (*See also* Docket No. 127).
8 The Order reflects that the parties presented evidence, that the Court heard arguments and that, after
9 considering the issues, the Court rendered its decision.

10 Based on the Order and consistent with the findings therein, **IT IS ORDERED AND**
11 **ADJUDGED** that the Plaintiff Carlos Pacheco ("Plaintiff") take nothing by way of his Complaint
12 and that this action is dismissed on the merits in favor of Defendants.

13 DATED: 7-15-2010.

14
15
16 
17 _____
18 Judge Jeremy Fogel
19 U.S. District Court Judge
20
21
22
23
24
25
26
27
28