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11 *Attorneys for Plaintiffs and the Class*

12 **UNITED STATES DISTRICT COURT**  
 13 **NORTHERN DISTRICT OF CALIFORNIA**

16 HAROLD HIGGINBOTTOM, dba  
 HIGGINBOTTOM FLOOR COVERING,  
 17 an individual; on behalf of himself and all  
 others similarly situated,  
 18 Plaintiff,  
 19 v.  
 20 U.S. BANCORP, a Delaware  
 Corporation; U.S. BANK, NATIONAL  
 21 ASSOCIATION; LYON FINANCIAL  
 SERVICES, INC., a Minnesota  
 22 Corporation, dba U.S. BANCORP  
 MANIFEST FUNDING SERVICES,  
 23 Defendants.  
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Case No. CV-10-4593 EJD

**STIPULATION FOR DISMISSAL  
 OF CASE WITH PREJUDICE;  
 [PROPOSED] ORDER**

Judge: Hon. Edward J. Davila




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**STIPULATION FOR DISMISSAL OF CASE WITH PREJUDICE;  
 [PROPOSED] ORDER; Case No. CV-10-4593 EJD**

1 **TO THE COURT AND ALL COUNSEL OF RECORD:**

2 WHEREAS Plaintiff Harold Higginbottom (“Plaintiff”) and Defendants U.S.  
3 Bancorp, U.S. Bank, National Association, and Lyon Financial Services, Inc.  
4 (collectively, “Defendants”) have reached a settlement that fully disposes of the case;

5 WHEREAS the case was originally filed as a putative class action but was  
6 dismissed prior to class certification, making notice unnecessary;

7 IT IS THEREFORE STIPULATED by Plaintiff and Defendants, through their  
8 attorneys of record, that the case be fully and finally dismissed with prejudice.

9 **IT IS SO STIPULATED AND AGREED.**

10 Dated: June 16, 2011

**COTCHETT, PITRE & McCARTHY, LLP**

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By:                   /s/ Anne Marie Murphy                    
ANNE MARIE MURPHY  
ERIC J. BUESCHER  
*Attorneys for Plaintiff*

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16 Dated: June 16, 2011

**MORRISON & FOERSTER LLP**

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By:                   /s/ James M. McGuire                    
JAMES M. McGUIRE  
*Attorneys for Defendants U.S. Bancorp,  
U.S. Bank, National Association, and  
Lyon Financial Services, Inc.*

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[PROPOSED] ORDER

Pursuant to the Parties' Stipulation and Request, IT IS ORDERED that the case be DISMISSED WITH PREJUDICE. The Clerk shall close this file.

DATE: June 17, 2011

  
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HON. EDWARD J. DAVILA  
UNITED STATES DISTRICT COURT JUDGE