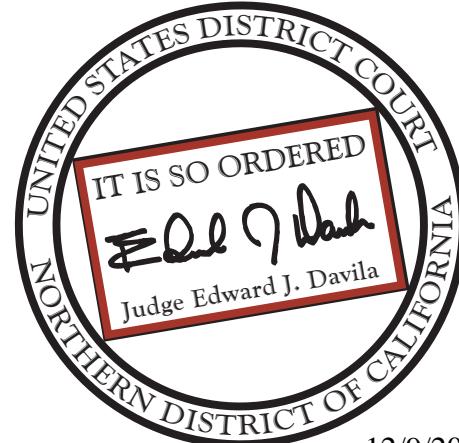


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17 Attorneys for Defendant WELLS FARGO BANK, N.A.,
18 successor by merger to Wells Fargo Bank, Southwest,
19 N.A., f/k/a Wachovia Mortgage, FSB, f/k/a World Savings
20 Bank, FSB sued as "Wachovia now doing business as
21 Wells Fargo Bank, N.A." ("Wells Fargo")



12/9/2011

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA

18 MARIA CRUZ, an individual 19 Plaintiff, 20 vs. 21 WACHOVIA now doing business as WELLS 22 FARGO BANK, N.A.; REGIONAL TRUSTEE 23 SERVICES CORPORATION and DOES 1 through 24 50, inclusive, 25 Defendants.	CASE NO.: 5:11-cv-03849-EJD [Assigned to The Honorable Edward J. Davila] STIPULATION TO DISMISSAL WITH PREJUDICE
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1
2 This stipulation is entered into by and between Plaintiff Maria Cruz and Defendant Wells
3 Fargo Bank, N.A., successor by merger to Wells Fargo Bank Southwest, N.A., formerly known as
4 Wachovia Mortgage, FSB, formerly known as World Savings Bank, FSB (sued as "Wachovia
5 now doing business as Wells Fargo Bank, N.A.") ("Wells Fargo").

6 The parties acknowledge and agree that Wells Fargo is under no obligation to modify the
7 loan that is the subject of this action, or review the loan for modification; however, Wells Fargo is
8 willing to do so under the terms and conditions described below:

9 A. The subject of this action is the loan to plaintiff made by Wells Fargo's predecessor in
10 interest, World Savings Bank, FSB (the "Loan"), which is secured by a deed of trust
11 against the property located at 5443 Lean Avenue, San Jose, California (the
12 "Property").

13 B. Plaintiff desires that Wells Fargo perform a modification review of the Loan.

14 C. Wells Fargo is agreeable to performing such review so long as plaintiff dismisses this
15 action with prejudice.

16 The parties stipulate and agree:

- 17 1. This action shall be dismissed with prejudice upon the filing of this stipulation.
- 18 2. Plaintiff shall have seven (7) days to submit to Wells Fargo a written request for
19 modification and all documentation required by Wells Fargo. Wells Fargo will
20 perform a modification review of the Loan and will notify plaintiff of its decision
21 on the modification request in writing.
- 22 3. No trustee's sale of the Property shall be held until at least 30 days after Wells
23 Fargo's written notification of the decision regarding loan modification.

24 //

25 //

26 //

27 //

28 //

4. Counsel's facsimile signatures shall be the equivalent of original signatures for all purposes.

Date: December 7, 2011

WENDELL J. JONES

By: /s/ Wendell J. Jones

Attorney for Plaintiff MARIA CRUZ

Date: December 7, 2011

ANGLIN, FLEWELLING, RASMUSSEN
CAMPBELL & TRYTTEN LLP

By: : /s/ *Leigh O. Curran*

Attorneys for Defendant WELLS FARGO BANK, N.A.,
successor by merger to Wells Fargo Bank, Southwest,
N.A., f/k/a Wachovia Mortgage, FSB, f/k/a World
Savings Bank, FSB sued as "Wachovia now doing
business as Wells Fargo Bank, N.A."

IT IS SO ORDERED.

The Clerk shall close this file.

Dated: December 9, 2011

Edmund J. Dank

United States District Judge

CERTIFICATE OF SERVICE

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the City of Pasadena, California; my business address is Anglin, Flewelling, Rasmussen, Campbell & Trytten LLP, 199 S. Los Robles Avenue, Suite 600, Pasadena, California 91101-2459.

On the date below, I served a copy of the following document(s):

STIPULATION TO DISMISSAL WITH PREJUDICE

on all interested parties in said case addressed as follows:

Served Electronically via the Court's CM/ECF System:

*Counsel for Plaintiff,
MARIA CRUZ:*

*Counsel for Defendant,
REGIONAL TRUSTEE SERVICES
CORPORATION:*

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FEDERAL: I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. This declaration is executed at Pasadena, California, on **December 8, 2011**.

Kimberly Wooten
(Print Name)

/s/ Kimberly Wooten
(Signature of Declarant)