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7 Attorneys for Plaintiff
Patrick D. Howard
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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13 PATRICK D. HOWARD,
14
15 Plaintiff,

16 v.

17 FIRST HORIZON HOME LOAN
CORPORATION; METLIFE HOME LOANS,
18 LLC; NATIONSTAR MORTGAGE, LLC; THE
BANK OF NEW YORK MELLON
19 CORPORATION; and DOES 1 through 10,

20 Defendants.
21

Case No. CV-12-05735 BLF

**REQUEST FOR DISMISSAL WITH
PREJUDICE OF THE ENTIRE ACTION**

[F.R.C.P. 41(a)(2)]

22
23 Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff PATRICK D.
24 HOWARD, through his counsel, hereby requests dismissal with prejudice of the entire action as to
25 FIRST TENNESSEE BANK NATIONAL ASSOCIATION as successor by merger to FIRST
26 HORIZON HOME LOAN CORPORATION; NATIONSTAR MORTGAGE, LLC; and THE BANK
27 OF NEW YORK MELLON FKA THE BANK OF NEW YORK (erroneously sued as THE BANK
28 OF NEW YORK CORPORATION).

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There are no cross-claims pending by or among any of the Defendants.

Plaintiff has executed a Settlement Agreement with METLIFE HOME LOANS.

Plaintiff has executed a separate Settlement Agreement FIRST TENNESSEE BANK NATIONAL ASSOCIATION as successor by merger to FIRST HORIZON HOME LOAN CORPORATION; NATIONSTAR MORTGAGE, LLC; and THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK (erroneously sued as THE BANK OF NEW YORK CORPORATION).

Pursuant to the executed settlement agreements, all parties have agreed to bear their own attorneys' fees and costs.

By their signatures below, counsel for the Defendants indicate their consent to Plaintiffs' dismissal of the entire action with prejudice.

DATED: January 28, 2015

FRANZ LAW

By: /s/ Elena Rivkin Franz
Elena Rivkin Franz
Attorney for Plaintiff
PATRICK D. HOWARD

DATED: January 28, 2015

AKERMAN LLP

By: /s/ Christopher R. Fredrich
Christopher R. Fredrich
Karen P. Ciccone
Attorney for Defendant
FIRST TENNESSEE BANK NATIONAL ASSOCIATION as successor by merger to FIRST HORIZON HOME LOAN CORPORATION; NATIONSTAR MORTGAGE, LLC; and THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK (erroneously sued as THE BANK OF NEW YORK CORPORATION)

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DATED: January 28, 2015

ANDERSON, MCPHARLIN & CONNERS LLP

By: /s/ Lisa Anne Coe
Carleton Burch, Esq.
Lisa Anne Coe, Esq.
Attorney for Defendant
METLIFE HOME LOANS, LLC, fka METLIFE HOME
LOANS, a division of METLIFE BANK, N.A.

ORDER

IT IS HEREBY ORDERED that the above-entitled matter is dismissed with prejudice.

Dated: January 30, 2015



Judge Beth Labson Freeman