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Attorneys for Defendant
CITIMORTGAGE, INC.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FRANCINE A. McGEE,

Plaintiff,

v.

CITI MORTGAGE, NATIONSTAR
MORTGAGE, LLC, THE COREY GEIB TEAM,
DOING BUSINESS AS RE/MAX BENCHMARK
REALTY, INC., CAL-WESTERN
RECONVEYANCE CORPORATION, FEDERAL
NATIONAL MORTGAGE ASSOCIATION,
DOES I-X, and ROES CORPORATIONS I-X,

Defendants.

Case No. 2:12-cv-02025 JCM PAL

**REQUEST FOR CLARIFICATION OF
COURT ORDER CLOSING CASE AND
ORDER**

Plaintiff FRANCINE MCGEE (“Plaintiff”) and Defendant CITIMORTGAGE, INC., by and through their respective attorneys of record (collectively, the “Parties”), previously appeared before the Court for a bench trial on January 26, 2015. The parties entered into a settlement agreement thereafter and Plaintiff agreed to dismiss the action with prejudice against Defendant CitiMortgage, Inc.

As of July 30, 2015, the Parties have performed their obligations except for a dismissal of this action with prejudice. Thereafter, Defendant CitiMortgage, Inc.’s counsel requested Plaintiff’s counsel agree to file a stipulation of dismissal with prejudice to confirm the dismissal of the action.



1 Plaintiff's counsel has not agreed to do so, instead pointing to the Court's April 20, 2015 order
2 closing this matter.

3 Thus, CitiMortgage, Inc. is only seeking Court clarification that this action has been
4 dismissed with prejudice pursuant to the terms of the Parties' settlement agreement. Plaintiff's
5 counsel has been served with this request.

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DATED: September 22, 2015

WOLFE & WYMAN LLP

By: /s/ Andrew A. Bao SBN 10508
ANDREW A. BAO
Attorneys for Defendant
CITIMORTGAGE, INC.



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ORDER

Good cause appearing therefore, **IT IS CONFIRMED** that Defendant CitiMortgage, Inc. has been dismissed from this action with prejudice.

IT IS SO ORDERED.

DATED: September 24, 2015

By: *James C. Mahan*
UNITED STATES DISTRICT COURT JUDGE

Submitted by:
WOLFE & WYMAN LLP

By: /s/ Andrew A. Bao SBN 10508
ANDREW BAO, ESQ.
Nevada Bar No. 10508
980 Kelly Johnson Drive, Suite 140
Las Vegas, NV 89119
Attorneys for Defendant CitiMortgage, Inc.



1 PROOF OF SERVICE

2 STATE OF CALIFORNIA)
3) ss.
4 COUNTY OF CONTRA COSTA)

4 I, Lisa White, declare: I am employed in the County of Contra Costa, State of California. I am over the age
5 of 18 and not a party to the within action. My business address is 2175 N. California Blvd., Suite 645,
6 Walnut Creek, California 94596-3502.

6 On the date shown below, I served the document(s) described as **REQUEST FOR CLARIFICATION OF**
7 **COURT ORDER CLOSING CASE AND [PROPOSED] ORDER** on all interested parties in said action
8 by placing a true copy thereof in a sealed envelope addressed as stated on the ATTACHED SERVICE LIST.

- 8 **BY MAIL:** as follows:
 - 9 **STATE** - I am "readily familiar" with Wolfe & Wyman LLP's practice of collection and
10 processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal
11 Service on that same day with postage thereon fully prepaid at Walnut Creek, California, in the
12 ordinary course of business. I am aware that on motion of party served, service is presumed invalid if
13 postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing
14 in affidavit.
 - 15 **FEDERAL** - I deposited such envelope in the U.S. Mail at Walnut Creek, California, with
16 postage thereon fully prepaid.
- 17 **BY PERSONAL SERVICE** as follows: I caused a copy of such document(s) to be delivered by hand
18 to the offices of the addressee between the hours of 9:00 A.M. and 5:00 P.M.
- 19 **BY OVERNIGHT COURIER SERVICE** as follows: I caused such envelope to be delivered by
20 overnight courier service to the offices of the addressee. The envelope was deposited in or with a
21 facility regularly maintained by the overnight courier service with delivery fees paid or provided for.
- 22 **BY FACSIMILE** as follows: I caused such documents to be transmitted to the telephone number of
23 the addressee listed on the attached service list, by use of facsimile machine telephone number. The
24 facsimile machine used complied with California Rules of Court, Rule 2004 and no error was reported
25 by the machine. Pursuant to California Rules of Court, Rule 2006(d), a transmission record of the
26 transmission was printed.
- 27 **BY ELECTRONIC MAIL** as follows: I hereby certify that I electronically transmitted the attached
28 document(s) to the U.S. District Court using the CM/ECF System for filing, service and transmittal
pursuant to the Notice of Electronic Filing to the CM/ECF registrants for this case.
- STATE** I declare under penalty of perjury under the laws of the State of California that the
above is true and correct.
- FEDERAL** I declare that I am employed in the offices of a member of the State Bar of this Court
at whose direction the service was made.

Executed on September 12, 2015, at Walnut Creek, California.


LISA WHITE

WOLFE & WYMAN LLP
ATTORNEYS & COUNSELORS AT LAW



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SERVICE LIST
U.S. District Court, District of Nevada – Case No. 2:12-cv-02025 JCM PAL
Francine A. McGee v. CitiMortgage, Inc., et al.
W&W File No. 1133-1060
[Revised: 08/11/15]

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