

1 **ANDREW A. BAO, ESQ.**  
 Nevada Bar No. 10508  
 2 **WOLFE & WYMAN LLP**  
 6757 Spencer Street  
 3 Las Vegas, NV 89119  
 Tel: (702) 476-0100  
 4 Fax: (702) 476-0101  
 aabao@wolfewyman.com

5 **Attorneys for Defendant**  
 6 **DITECH FINANCIAL LLC**

7 **UNITED STATES DISTRICT COURT**  
 8 **DISTRICT OF NEVADA**

9 ROBERT D. DEY and KATHLEEN C. DEY,  
 10  
 Plaintiff,

11 v.

12 EXPERIAN INFORMATION SOLUTIONS, INC.;  
 DITECH FINANCIAL, LLC; and TRANS UNION  
 13 LLC,  
 14 Defendants.

CASE NO.: 2:18-cv-00502-RFB-CWH  
 (Consolidated with 2:18-cv-0503-APG-NJK)

**STIPULATION AND ORDER FOR  
 DISMISSAL OF ACTION WITH  
 PREJUDICE AS TO DEFENDANT  
 DITECH FINANCIAL LLC**

16 **TO THE HONORABLE COURT AND TO ALL PARTIES OF RECORD:**

17 **IT IS HEREBY STIPULATED** by and between Plaintiffs ROBERT D. DEY and

18 KATHLEEN C. DEY and Defendant, DITECH FINANCIAL, LLC, by and through their  
 19 undersigned counsel of record herein, as follows:

- 20 1. On February 25, 2019, Defendant DITECH FINANCIAL, LLC caused to be filed in  
 21 this present matter a Notice of Bankruptcy to inform the Court and the parties of Ditech’s bankruptcy  
 22 cases and the automatic stay imposed by section 362 of the Bankruptcy Code. On March 5, 2019, an  
 23 Amended Notice of Bankruptcy was also filed.
- 24 2. On September 26, 2019, the Bankruptcy Court entered the Order Confirming Third  
 25 Amended Joint Chapter 11 Plan of Ditech Holding Corporation and Its Affiliated Debtors approving  
 26 the terms of the Third Amended Joint Chapter 11 Plan of Ditech Holding Corporation and Its  
 27 Affiliated Debtors.
- 28 3. The Plan contains a permanent injunction that specifically prohibits parties from,



1 among other things, taking actions inconsistent with the Plan, including, as relevant here, forever  
2 prosecuting any action against Ditech for monetary recovery on account of any claim arising prior to  
3 the closing of the transactions under the Plan—September 30, 2019.

4 4. Therefore, the above-captioned action including all claims and all causes of action  
5 therein be and hereby is dismissed with prejudice as to Defendant, DITECH FINANCIAL, LLC  
6 pursuant to Federal Rules of Civil Procedure, Rule 41.

7 **IT IS SO STIPULATED**

8 DATED: December 10, 2019

KNEPPER & CLARK, LLC

9  
10 By: /s/Miles N. Clark  
11 MATTHEW I. KNEPPER, ESQ.  
12 MILES N. CLARK, ESQ.  
13 5510 S. Fort Apache Rd, Suite 30  
14 Las Vegas, Nevada 89148 Attorneys for  
15 Plaintiffs

16 DATED: December 10, 2019

WOLFE & WYMAN LLP

17 By: /s/Andrew A. Bao  
18 ANDREW A. BAO, ESQ.  
19 Nevada Bar No. 10508  
20 6757 Spencer Street  
21 Las Vegas, Nevada 89119  
22 Attorneys for Defendant  
23 **DITECH FINANCIAL LLC**  
24  
25  
26  
27  
28



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

**ORDER**

For good cause, the Court hereby grants the parties' stipulation to dismiss Defendant DITECH FINANCIAL LLC with prejudice from Plaintiffs' Complaint. Each party shall bear their own fees and costs.

**IT IS SO ORDERED.**

DATED this 11th day of December, 2019.



\_\_\_\_\_  
RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE



1 **CERTIFICATE OF MAILING**

2 On December 10, 2019, I served the foregoing **STIPULATION AND ORDER FOR**  
3 **DISMISSAL OF ACTION WITH PREJUDICE AS TO DEFENDANT DITECH**  
4 **FINANCIAL LLC**, by the following means to the persons as listed below:

5  a. EFC System (you must attach the “Notice of Electronic Filing,” or list all  
6 persons and addresses and attach additional paper if necessary):

7  b. United States Mail, postage fully pre-paid (List persons and addresses.  
8 Attach additional paper if necessary):

9 Matthew I. Knepper  
10 [Matthew.knepper@knepperclark.com](mailto:Matthew.knepper@knepperclark.com)  
11 Miles N. Clark  
12 [Miles.clark@knepperclark.com](mailto:Miles.clark@knepperclark.com)  
13 Knepper & Clark, LLC  
14 5510 S. Fort Apache Rd, Suite 30  
15 Las Vegas, Nevada 89148  
16 Telephone: (702) 856-7430  
17 Fax: (702) 447-8048

18 **And**  
19 David H. Krieger  
20 [dkrieger@hainesandkrieger.com](mailto:dkrieger@hainesandkrieger.com)  
21 Haines & Krieger, LLC  
22 8985 S. Eastern Ave., Suite 350  
23 Henderson, NV 89123  
24 (702) 880-5554  
25 (702) 383-5518 Fax  
26 **Counsel for Plaintiffs**

27 Jason G. Revzin  
28 [Jason.revzin@lewisbrisbois.com](mailto:Jason.revzin@lewisbrisbois.com)  
Lewis Brisbois Bisgaard & Smith LLP  
6385 S. Rainbow Blvd., Suite 600  
Las Vegas, NV 89118  
(702) 893-3383  
(702) 893-3789 Fax  
**Counsel for Trans Union LLC**

Jennifer L. Braster  
[jbraster@naylorandbrasterlaw.com](mailto:jbraster@naylorandbrasterlaw.com)  
Andrew J. Sharples  
[asharples@naylorandbrasterlaw.com](mailto:asharples@naylorandbrasterlaw.com)  
Naylor and Braster  
1050 Indigo Dr., Suite 200  
Las Vegas, NV 89145  
(702) 420-7000  
(702) 420-7001 Fax  
**Counsel for Experian Information Solutions, Inc.**

/s/ Jamie Soquena  
\_\_\_\_\_  
Jamie Soquena  
An employee of Wolfe & Wyman LLP

