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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ERNEST CLARK HICKS,  
Plaintiff,

v.

BANK OF AMERICA N.A., Beneficiary,  
QUALITY LOAN SERVICE CORP. OF  
WASHINGTON, Trustee, MORTGAGE  
ELECTRONIC REGISTRATION  
SYSTEMS, INC., Nominee,  
Defendants.

NO. 2:16-cv-00019-SAB

**ORDER ENTERING  
STIPULATION,  
DISMISSING CASE WITH  
PREJUDICE, AND RELEASING  
FUNDS**

Before the Court is the parties' Stipulation and Order of Dismissal with Prejudice and Without Fees or Costs, ECF No. 27. The parties represent that this matter has been fully settled and that this case should be dismissed with prejudice and without attorneys' fees to any party. Additionally, Plaintiff has agreed to waive all claims to any and all monies held in the Court registry pursuant to the Court's Order dated February 19, 2017, ECF No. 25. Plaintiff agrees that Defendant Bank of America N.A. is entitled to the funds that Plaintiff has paid into the Court registry and consents to the entry of an Order Releasing Funds. The Court orders the funds be distributed as below.

**ORDER ENTERING STIPULATION, DISMISSING CASE WITH  
PREJUDICE, AND RELEASING FUNDS + 1**

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The parties' Stipulation for Order of Dismissal with Prejudice and  
3 Without Costs or Attorney's Fees, ECF No. 27, is accepted and **entered** into the  
4 record.

5 2. The Clerk of Court of the United States District Court for the Eastern  
6 District of Washington is **ordered to disburse** all monies deposited by Plaintiff in  
7 the above-captioned case pursuant to the Court's February 19, 2016 Order, ECF  
8 No. 25, less any processing fees, for the benefit of the Bank of America N.A., as  
9 follows:

10 Witherspoon Kelly  
11 422 W Riverside Avenue  
12 Suite 1100  
13 Spokane WA 99201-0300

14 3. The above-captioned case is **dismissed with prejudice** and without costs  
15 or attorneys' fees to any party.

16 4. Any pending motions are **dismissed as moot**.

17 5. All trial dates and deadlines are **stricken**.

18 **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
19 file this Order, provide copies to counsel, and **close** the file.

20 Dated this 13th day of July, 2017.



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25 Stanley A. Bastian  
26 United States District Judge  
27  
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