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8 *Counsel for Plaintiff*

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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 JOSEFA S. LOPEZ, JOSE TRINIDAD
13 CASAS, MARIA C. CASAS, LYNDON
14 B.GRAVES, TYRONE EVENSON,
15 MICHELLINA EVENSON, BRYAN GRAY,
16 HELEN GRAY, PATRICK FRANKOSKI, and
17 CHRISTOPHER PETERNELL, individually
18 and on behalf of a class of similarly situated
19 individuals,

20 Plaintiffs,

21 vs.

22 EXECUTIVE TRUSTEE SERVICES, LLC.;
23 COUNTRYWIDE HOME LOANS, INC., a
24 New York corporation; MERSCORP, INC., a
25 Virginia corporation; MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC., a subsidiary of MERSCORP, Inc., a
Delaware corporation; RECONTRUST,
SAXON MORTGAGE SERVICES, INC.,
GALE GROUP dba T.D. FINANCIAL
SERVICES dba T.D. SERVICE COMPANY,
SECURITY UNION TITLE INSURANCE
COMPANY, CAPITAL ONE dba CHEVY
CHASE BANK, NATIONAL DEFAULT
SERVICING CORPORATION, FEDERAL
HOME LOAN MORTGAGE
CORPORATION, a Virginia corporation;
FEDERAL NATIONAL MORTGAGE
ASSOCIATION, a District of Columbia
corporation; GMAC MORTGAGE, L.L.C., a
Delaware corporation; NATIONAL CITY

Case No.: 3:09-cv-180-ECR-VPC

**Stipulation of the parties as to
Plaintiffs Josefa Lopez and
Patrick Frankoski and Defendants
GMAC and Executive Trustee
Services.**

and Order

1 MORTGAGE, a foreign company and a
2 division of NATIONAL CITY BANK, a
3 subsidiary of National City Corporation;
4 NATIONAL CITY CORPORATION, a
5 Delaware corporation and a subsidiary of
6 PNC Financial Services, Inc.; PNC
7 FINANCIAL SERVICES, INC., a
8 Pennsylvania corporation; J.P. MORGAN
9 CHASE BANK, N.A., a New York
10 corporation; CITIMORTGAGE, INC., a New
11 York corporation; HSBC MORTGAGE
12 CORPORATION, U.S.A., a Delaware
13 corporation; AIG UNITED GUARANTY
14 CORPORATION, a foreign corporation;
15 WELLS FARGO BANK, N.A., a California
16 corporation, dba WELLS FARGO HOME
17 EQUITY and dba WELLS FARGO HOME
18 MORTGAGE, a division of WELLS FARGO
19 BANK, N.A., a California corporation; BANK
20 OF AMERICA, N.A., a Delaware corporation,
21 and GE MONEY BANK, an Ohio
22 corporation; JOHN AND JANE DOES I-X;
23 BLACK AND WHITE PARTNERSHIP I-X;
24 AND ABC CORPORATION I-X,
25

Defendants.

IT IS HEREBY STIPULATED by and between counsel for Plaintiff,
JOSEFA LOPEZ and Defendants, GMAC Mortgage, LLC and EXECUTIVE
TRUSTEE SERVICES, LLC., through undersigned counsel, that Defendants, their
officers, agents, servants, employees, and attorneys, and those persons in active
concert or participation with any of them or each of them, shall not initiate or
advance any foreclosure, sale on the residence of Plaintiff at **7423 Baroque Court,**
Sun Valley, Nevada and that the temporary restraining order will remain in effect
pending a trial on the merits in the above-captioned matter for so long as Josefa

1 Lopez keeps the insurance and taxes current on the property. It is further stipulated
2 that her bond of \$500.00 required by the Court may be released to her.
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4 IT IS FURTHER STIPULATED by and between counsel for Plaintiff,
5 PATRICK FRANKOSKI, and the Defendants, GMAC Mortgage, LLC and
6 EXECUTIVE TRUSTEE SERVICES, LLC., through undersigned counsel, that
7 Defendants, their officers, agents, servants, employees, and attorneys, and those
8 persons in active concert or participation with any of them or each of them, shall not
9 initiate or advance any foreclosure on the residence of Plaintiff at 333 Omni Drive,
10 Sparks, Nevada and that a temporary restraining order is stipulated to remain in
11 effect pending a trial on the merits in the above-captioned matter for so long as
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1 Patrick Frankoski keeps the insurance and taxes current on the property.

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DATED this 5th day of May, 2009.

LEWIS AND ROCA, LLP

By /s/ Bruce T. Beesley
Bruce T. Beesley, #1164
Attorneys for Defendants
GMAC Mortgage, LLC
And Executive Trustee
Services, LLC

HAGER & HEARNE

By /s/ Treva J. Hearne
Treva J. Hearne #4450
Attorneys for Plaintiffs

ORDER

IT IS SO ORDERED.

DATED this 5th day of May, 2009.



U.S. DISTRICT JUDGE