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IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY

R. Markley Dennis, Jr., Presiding Judge, Ninth Judicial Circuit

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JUN 26 2015

SC Court of Appeals

Appellate Case No. 2014-001791

Deutsche Bank National Trust Company, as
Trustee of the IndyMac IMJA Mortgage
Trust 2007-A2, Mortgage Pass-Through
Certificates, Series 2007-A2 under the
Pooling and Servicing Agreement dated
August 1, 2007,

Appellant,

v.

Thomas C. Stevenson III, Irven M.
Stevenson, National Bank of South
Carolina nka Synovus Bank and South
Carolina Department of Revenue, and
One West Bank FSB, including its
division known as Indy Mac
Mortgage Services,

Defendants,

Of whom Thomas C. Stevenson III
And Irven M. Stevenson are

Respondents.

MOTION TO DISMISS APPEAL

Undersigned counsel for Appellants Deutsche Bank National Trust Company, as Trustee
of the IndyMac IMJA Mortgage Trust 2007-A2, Mortgage Pass-Through Certificates, Series
2007-A2 under the Pooling and Servicing Agreement dated August 1, 2007, ("Deutsche Bank")

and OneWest Bank FSB,¹ including its division known as Indy Mac Mortgage Services (“OneWest”) hereby moves to dismiss the above-captioned appeal as this matter has been settled and Appellant no longer wishes to pursue this appeal.

This is a mortgage foreclosure action. Plaintiff and Defendants Stevenson have agreed to resolve the action via a consent order and judgment of foreclosure and sale. The action is in the process of being referred to the Master-in-Equity for Charleston County to achieve that purpose. The counterclaims of Defendants Thomas C. Stevenson III and Irven M. Stevenson (“Defendants Stevenson”) have been stipulated as dismissed. With the dismissal of those counterclaims, this interlocutory appeal, which addressed the nature of the counterclaims and challenged Defendants Stevensons’ right to a jury trial on them, is now moot and therefore should be dismissed.

(SIGNATURE ON FOLLOWING PAGE)

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

¹ Deutsche Bank and OneWest Bank/IndyMac are not adverse and have no claims against one another. This action includes a third party complaint by Defendants Stevenson against OneWest Bank/IndyMac. The current caption incorrectly blends the captions of the first party and third party complaints.

Deutsche Bank National Trust Company, etc.
v. Thomas C. Stevenson III et al.
Case No. 2014-001791
MOTION TO DISMISS APPEAL

Respectfully submitted,



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June 24, 2015

*Attorney for Plaintiff/Appellant Deutsche
Bank National Trust Company and
Defendant/Appellant OneWest Bank FSB*

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*Attorney for Defendant National Bank of South
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Thomas C. Stevenson III, Irven M.
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One West Bank FSB, including its
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Mortgage Services,

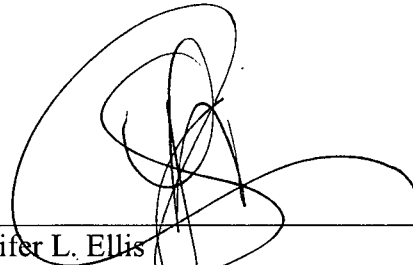
Defendants,

Of whom Thomas C. Stevenson III
And Irven M. Stevenson are

Respondents.

PROOF OF SERVICE

I certify that on the 24th day of June, 2015, I served the *Motion to Dismiss Appeal* on J. Rutledge Young, Jr., Esq. of Duffy & Young, LLC, attorney of record for Respondents, Thomas C. Stevenson and Irven M. Stevenson; Tara E. Nauful, Esq., of Adams and Reese, LLP, attorney of record for Defendant National Bank of South Carolina n/k/a Synovus Bank (not a Respondent to this appeal) and Milton G. Kimpson, Esq., attorney for Defendant South Carolina Department of Revenue (not a Respondent to this appeal), by depositing a copy in the U.S. Mail, postage prepaid, to their offices at 96 Broad Street, Charleston, South Carolina 29401, 211 King Street, Suite 330, Charleston, South Carolina 29401, and Post Office Box 12265, Columbia, South Carolina 29211, respectively.



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FINKEL LAW FIRM LLC

JENNIFER L. ELLIS, PARALEGAL
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REPLY TO:
CHARLESTON LITIGATION

June 24, 2015

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RECEIVED

JUN 26 2015

SC Court of Appeals

RE: *Deutsche Bank National Trust Company, as Trustee of the IndyMac IMJA Mortgage Trust 2007-A2, Mortgage Pass-Through Certificates, Series 2007-A2 under the Pooling and Servicing Agreement dated August 1, 2007 v. Thomas C. Stevenson III and Irven M. Stevenson, National Bank of South Carolina nka Synovus Bank, South Carolina Department of Revenue, and OneWest Bank FSB, including its division known as Indy Mac Mortgage Services*
Appellate Case No.: 2014-001791
Our File No.: 52310.47707

Dear Ms. Kitchings:

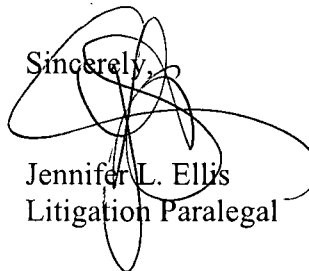
Enclosed please find a *Motion to Dismiss Appeal* and the related *Proof of Service* which we have prepared in connection with the above referenced appeal. It would be greatly appreciated if you would file same and return the file-stamped copies in the enclosed envelope.

I have also enclosed check number 58400 in the amount of \$25.00 for the filing fee.

If you have any questions or concerns, please contact me at your convenience.

With warmest regards, I am

Sincerely,



Jennifer L. Ellis
Litigation Paralegal

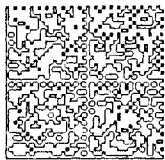
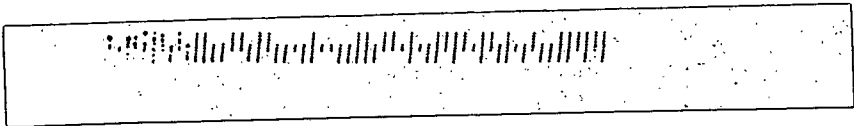
:jle
Enclosure

cc: J. Rutledge Young, Jr., Esq.
Tara E. Naufal, Esq.
Milton E. Kimpson, Esq.

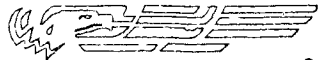
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