

**FILED**  
CHARLOTTE, NC

MAY 03 2012

U.S. DISTRICT COURT  
WESTERN DISTRICT OF NC

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA, *et al.*  
*ex rel.* LYNN E. SZYMONIAK,

Plaintiffs,

v.

[SEALED] ET AL.

Defendants.

CIVIL NO. 3:10CV575-RJC

[FILED UNDER SEAL  
PURSUANT TO  
31 U.S.C. § 3730(B)(2)]

**NOTICE OF INTERVENTION IN PART  
FOR THE PURPOSE OF PARTIAL SETTLEMENT**

Pursuant to 31 U.S.C. § 3730(b)(2) and (4), and for the purpose of effecting a settlement entered into by the various defendants and the United States, the United States advises the Court of its decision to intervene for the purposes of settlement in some of the claims in this case against: (1) Ally Financial, Inc. f/k/a GMAC, Inc.; (2) Bank of America as successor-in-interest to Countrywide Financial Corporation; (3) BAC Home Loan Servicing, LLP; (4) Banc of America Mortgage Securities, Inc.; (5) Chase Home Finance; (6) Citimortgage, Inc.; and (7) Wells Fargo Home Mortgage d/b/a America’s Servicing Company (collectively the “Settling Defendants”).

On February 4, 2012 the United States District Court for the District of Columbia entered five Consent Judgments implementing settlement agreements between the United States and the Settling Defendants and their affiliates (the “Consent Judgments”). *See United States v. Bank of*

*America et al.*, No. 12-civ-0361-RJC (D.D.C.) (Consent Judgments) (Docket Nos. 10 to 14).

The Consent Judgments release some of relator's federal False Claims Act claims against the

Settling Defendants in this action. The relator has consented to the settlement of those claims,

and has also reached an agreement with the United States as to a relator share of those claims.

No resolution has been reached between relator and the Settling Defendants as to any applicable attorney's fees and costs.

By this notice, the United States is intervening in this action as to the claims against the Settling Defendants that are released in the Consent Judgments. The United States is not intervening as to any other claims against the Settling Defendants or any other defendants in this action. The United States' investigation as to these other claims and defendants continues.

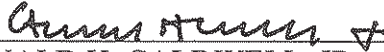
Simultaneously with this notice of intervention, the United States and the relator are filing a Motion to Dismiss the settled claims in this action.

Respectfully submitted,

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Acting Assistant Attorney General  
Civil Division

ANNE M. TOMPKINS  
UNITED STATES ATTORNEY

Dated: 5/3/12

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ATTORNEYS FOR THE  
UNITED STATES OF AMERICA

**CERTIFICATE OF SERVICE AND NO SERVICE**

I hereby certify that on the 3rd day of May, 2012, a true and correct copy of the foregoing Notice of Intervention in Part for the Purpose of Partial Settlement, Stipulation of Partial Dismissal of Claims was served upon the parties below by mailing a copy thereof, postage prepaid and properly addressed as indicated. The Memorandum in Support of Stipulation and Order has not been served upon the parties noted below because that pleading refers to details of the Government's investigation of this case.

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