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17 IN THE UNITED STATES DISTRICT COURT
18 FOR THE EASTERN DISTRICT OF CALIFORNIA

19 NATIONAL CITY BANK OF INDIANA and)
20 NATIONAL CITY MORTGAGE CO.,)

21 Plaintiffs,)

22 versus)

23 DEMETRIOS A. BOUTRIS,)
24 in his official capacity as Commissioner of)
25 the California Department of Corporations,)

26 Defendant.)
27)
28)

2:03-cv-00655-GEB-JFM

**[PROPOSED] FINAL JUDGMENT
AND PERMANENT INJUNCTION**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Judgment is entered permanently enjoining the Commissioner and agents acting on behalf of the Commissioner from exercising visitatorial powers over plaintiffs; further judgment is entered in favor of plaintiffs on their Supremacy Clause preemption claims under

1 the National Bank Act and its implementing regulations and in favor of the Commissioner on
2 plaintiffs' claims under the Depository Institutions Deregulation and Monetary Control Act of
3 1980, 42 U.S.C. § 1983 and 42 U.S.C. § 1988.

4 IT IS SO ORDERED.

5 Dated: September 23, 2005
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7

8 /s/ Garland E. Burrell, Jr.

9 GARLAND E. BURRELL, JR.

10 United States District Judge
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