

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
) MDL No. 1674
COMMUNITY BANK OF NORTHERN)
VIRGINIA AND GUARANTY BANK) Case No. 03-0425
SECOND MORTGAGE LITIGATION)

FINAL JUDGMENT

AND NOW, on this 14th day of August, 2008, IT IS HEREBY
ORDERED, ADJUDGED AND DECREED THAT:

1. The settlement of this class action on the terms set forth in the parties' agreement captioned "Modification No. 1 to Settlement Agreement and Release" dated July 28, 2006 [Doc. No. 225, Ex. 1] which reaffirmed with the stated modifications the parties' "Settlement Agreement and Release," dated July 11, 2003 [Doc. No. 7] (hereinafter collectively referred to as the "Settlement Agreement") is approved. The following class is granted final certification for settlement purposes under Fed.R.Civ.P. 23: All persons:
(i) who entered into a loan agreement with CBNV and/or GNBT; (ii) whose loan was secured by a second mortgage deed or trust on property located in the United States; (iii) whose loan was

purchased by RFC; and (iv) who were not members of the class certified in the action captioned Baxter v. Guaranty National Bank, et al., Case No. 01-CVS-009168, in the General Court of Justice, Superior Court Division of Wake County, North Carolina.

2. Unless otherwise provided, all capitalized terms in this Judgment shall have the same meaning as those terms in the Settlement Agreement.
3. Individual notice complying with Fed.R.Civ.P. 23(c)(2) and Fed.R.Civ.P. 23(e) was sent to each reasonably identifiable Class Member's last known address. Publication Notice also was published in accordance with this court's order approving the Revised Joint Plan of Class Action Settlement Notice [Doc. No. 303]. The court finds that all members of the Class as defined above to be Class Members who are bound by this Final Judgment, except for those Class Members who have been timely excluded from the Class.
4. The claims in this action are dismissed on the merits and with prejudice according to the terms and conditions set forth in the parties' Settlement Agreement and in the court's Final

Order Approving Class Action Settlement, dated August 14, 2008, without costs to any party except as provided therein.

FINAL JUDGMENT is hereby entered in accordance with Fed.R.Civ.P. 58.

BY THE COURT

A handwritten signature in black ink, appearing to read "Gary L. Lancaster", written over a horizontal line.

Gary L. Lancaster,
United States District Judge

cc: All Counsel of Record