

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>JAMES F. MILLER</b> , Individually and	)	
on Behalf of Himself and Others Similarly	)	
Situated,	)	
	)	
<b>Plaintiff</b> ,	)	
	)	
<b>v.</b>	)	<b>2:19-cv-00016-JDL</b>
	)	
<b>CARRINGTON MORTGAGE</b>	)	
<b>SERVICES, LLC</b> ,	)	
	)	
<b>Defendant.</b>	)	

**ORDER ACCEPTING THE RECOMMENDED DECISION OF THE  
MAGISTRATE JUDGE**

James F. Miller, on behalf of himself and all others similarly situated, brings this action against Carrington Mortgage Services, LLC, for alleged violations of the Fair Debt Collection Practices Act, 15 U.S.C.A. §§ 1692–1692p. The parties now jointly request that the Court preliminarily certify the putative class under Fed. R. Civ. P. 23(b)(3) for settlement purposes, grant preliminary approval of the proposed settlement, authorize notice of the proposed settlement to the class members, and schedule a hearing on the proposed settlement (ECF No. 34).

United States Magistrate Judge John C. Nivison filed a Recommended Decision on the parties’ joint motion with the Court on June 3, 2020 (ECF No. 35), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2020) and Fed. R. Civ. P. 72(b). The time within which to file objections has expired, and no objections have been filed.

The Magistrate Judge provided notice that a party's failure to object would waive the right to *de novo* review and appeal.

I have reviewed and considered the Magistrate Judge's Recommended Decision together with the entire record and have made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision. I concur with the recommendations of the Magistrate Judge for the reasons set forth in the Recommended Decision and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision (ECF No. 35) of the Magistrate Judge is hereby **ACCEPTED** and the parties' joint motion (ECF No. 34) is **GRANTED** in all respects. It is further **ORDERED** that Miller's counsel of record is appointed as class counsel. The Clerk is directed to schedule a fairness hearing on the proposed settlement 90 days after the date of this Order, or as soon thereafter as is practicable.

**SO ORDERED.**

**Dated this 6th day of July, 2020.**

/s/ Jon D. Levy  
**CHIEF U.S. DISTRICT JUDGE**