

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

MORTGAGE ASSETS MANAGEMENT,)	
LLC,)	
)	
Plaintiff,)	
)	
v.)	2:23-cv-00106-JDL
)	
YVETTE G. POULIN, et al.,)	
)	
Defendants.)	

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

On February 27, 2023, Plaintiff Mortgage Assets Management, LLC filed a Complaint for foreclosure and sale against Defendants Yvette G. Poulin, Portfolio Recovery Associates, LLC, and the Secretary of Housing and Urban Development (ECF No. 1). The Complaint initially named diversity of citizenship under 28 U.S.C.A. § 1332 (West 2023) as the basis for subject-matter jurisdiction, but the Plaintiff moved, with the consent of the only defendant who had appeared in this case—to amend the Complaint to change the basis for subject-matter jurisdiction (ECF No. 12). Specifically, the Plaintiff sought to base subject-matter jurisdiction on the presence of the United States Secretary of Housing and Urban Development as a party. Around the same time, default was entered with respect to Defendant Portfolio Recovery Associates (ECF No. 14). The Plaintiff’s Motion to Amend was subsequently granted (ECF No. 15), and the Plaintiff filed an Amended Complaint (ECF No. 16).

United States Magistrate Judge Karen Frink Wolf filed her Recommended Decision with the Court on May 17, 2023 (ECF No. 19). The Magistrate Judge recommended that (1) the Plaintiff not be required to serve the Amended Complaint on Portfolio Recovery Associates, the defaulted party, and (2) Portfolio Recovery Associates' default be set aside. 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.

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

It is therefore **ORDERED** that the Recommended Decision (ECF No. 19) of the Magistrate Judge is hereby **ACCEPTED**. Accordingly, Mortgage Assets Management is not required to serve the Amended Complaint on Portfolio Recovery Associates. Furthermore, the entry of default with respect to Portfolio Recovery Associates is **SET ASIDE**.

SO ORDERED.

Dated this 14th day of June, 2023.

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