Broderick v. PNC Financial Services Group, et al

Not for Publication in West's Federal Reporter

United States Court of AppealsFor the First Circuit

No. 13-1158

JENNIFER W. BRODERICK,

Plaintiff, Appellant,

v.

PNC FINANCIAL SERVICES GROUP, INC., d/b/a PNC MORTGAGE, d/b/a PNC MORTGAGE CORPORATION, d/b/a PNC BANK, d/b/a PNC BANCORP, d/b/a PNC FINANCIAL SERVICES, d/b/a PNC,

Defendant, Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

[Hon. Joseph L. Tauro, U.S. District Judge]

Before

Lynch, <u>Chief Judge</u>, Torruella and Kayatta, <u>Circuit Judges</u>.

 $\underline{\text{Valeriano Diviacchi}}$ and $\underline{\text{Diviacchi Law Office}},$ on brief for appellant.

<u>Matthew M. O'Leary</u>, <u>Patrick T. Voke</u> and <u>LeClairRyan</u>, <u>A Professional Corporation</u>, on brief for appellee.

May 23, 2014

Doc. 106692181

Per Curiam. Plaintiff-Appellant Jennifer W. Broderick ("Broderick") alleged a Massachusetts state-law claim for unfair and deceptive trade practices in connection with the origination of a "no income verification" home mortgage loan. She now appeals from the district court's dismissal of her amended complaint as time-barred under the relevant statute of limitations.

Having thoroughly reviewed the record and Broderick's brief on appeal, we affirm the dismissal of her amended complaint substantially for the reasons stated by the district court. We add that, in view of the final judgment in Broderick's previous civil action, Broderick v. PNC Mortgage Corp., No. 1:11-cv-10047-WGY (D. Mass.), her claim is likely barred under the doctrine of claim preclusion. See, e.g., Silva v. City of New Bedford, 660 F.3d 76, 78-81 (1st Cir. 2011).

AFFIRMED.