

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 08-1416

**FILED**  
**Dec 22, 2011**  
LEONARD GREEN, Clerk

DONALD J. MOLOSKY; ELIZABETH A. MOLOSKY,  
Plaintiffs - Appellants,

v.

WASHINGTON MUTUAL, INCORPORATED;  
FEDERAL DEPOSIT INSURANCE CORPORATION,  
Defendants - Appellees.

Before: MOORE and ROGERS, Circuit Judges; HOOD, District Judge.

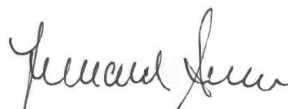
**JUDGMENT**

On Appeal from the United States District Court  
for the Eastern District of Michigan at Detroit.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the judgment of the district court with respect to the contract claim regarding the payoff statement fee is REVERSED and the case is REMANDED for further consideration in light of the opinion of this court. IT IS FURTHER ORDERED that the judgment of the district court is AFFIRMED in all other respects.

**ENTERED BY ORDER OF THE COURT**



---

Leonard Green, Clerk