

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

HAROLD RAY, on behalf of)
himself and all others)
similarly situated,)
)
Plaintiff,)
)
v.)
)
NATIONSTAR MORTGAGE)
LLC OF DELAWARE, d/b/a)
Champion Mortgage)
Company,)
)
Defendant.)

CIVIL ACTION NO.
2:17cv99-MHT
(WO)

OPINION AND ORDER

Plaintiff filed this putative nationwide class-action lawsuit asserting claims of breach of contract, unjust enrichment, and negligence related to the defendant mortgage company's home inspections for its reverse mortgage customers. Defendant filed a motion to stay this case while another similar lawsuit earlier filed in the United States District Court for the District of Columbia proceeds. This lawsuit is now before the court on the recommendation of the United

States Magistrate Judge that the motion to stay be granted. Also before the court are plaintiff's objections to the recommendation, and his included requests for preservation discovery and for the defendant to be required to provide notices to the court shortly after any critical developments in the other case. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

Accordingly, it is ORDERED that:

- (1) The objection (doc. no. 41) is overruled.
- (2) The magistrate judge's recommendation (doc. no. 40) is adopted.
- (3) The motion to stay (doc. no. 29) is granted.
- (4) This case is stayed while the case of *Hoggard, et al., v. Nationstar Mortgage LLC of Delaware, d/b/a Champion Mortgage Company*, 1:17-cv-99-TK (D.D.C.) is pending in the United States District Court for the District of Columbia.

(5) Defendant shall file reports explaining the status of the *Hoggard* litigation (A) on the first Monday of every third month, beginning in April 2018, and (B), within 14 days of any decision denying class certification, granting dismissal of any claims, or entering judgment on any claims in the *Hoggard* case, attaching a copy of the relevant opinions or orders.

(6) Plaintiff's request for preservation discovery is referred back to the magistrate judge.

This case is administratively closed in this court during the pendency of the stay.

DONE, this the 28th day of February, 2018.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE