

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

ANITA R. ROGERS and  
WILLIAM A. ROGERS,

Plaintiffs,

vs.

COUNTRYWIDE HOME LOANS, INC.,  
d/b/a AMERICA'S WHOLESALE  
LENDER,

Defendant.

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CIVIL ACTION 08-549-CG-M

**ORDER**

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is **ORDERED** that Defendant's Motion to Dismiss is **GRANTED in part and DENIED in part** (Docs. 7-8). Specifically, it is **ORDERED** that the Motion is **GRANTED** as to Plaintiffs' claims seeking damages under 15 U.S.C. § 1640(e). It is further **ORDERED** that the balance of the Motion is **DENIED**. Plaintiffs are hereby granted leave until **May 11, 2009**, to file an Amended Complaint which more definitively states the factual basis for their claims.

**DONE and ORDERED** this 24<sup>th</sup> day of April, 2009.

/s/ Callie V. S. Granade

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CHIEF UNITED STATES DISTRICT JUDGE