

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

KARUN N. JACKSON, et al.,
Plaintiff,
vs.
BANK OF NEW YORK MELLON, et al.,
Defendant.
CIVIL ACTION NO. 16-0062-CG-M

ORDER

After due and proper consideration of the relevant pleadings and the issues raised, and a de novo determination of those portions of the Recommendation to which objection is made, 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 Defendants' Motion to Dismiss be granted pursuant to Rule 12(b)(6) for failure to state a claim against Specialized Loan Servicing, LLC ("SLS"), Bank of New York Mellon ("BONYM"), and Mortgage Electronic Registration Systems ("MERS") as follows:

Counts one, two, three, four, five, eight, and nine dismissed against Defendants, SLS and BONYM. Counts six, seven, and sixteen dismissed

1 Because the Court adopts the Report and Recommendation as a whole, including the holding at Footnote 11 which denies Plaintiff's request to file yet another Amended Complaint, the Court DENIES Plaintiffs' Motion to Amend Complaint (Doc. 42), and further finds that said motion is also due to be denied for the reasons set forth in the Response to the Motion to Amend the Complaint (Doc. 44).

against Defendants, SLS, BONYM, and MERS. Counts ten, eleven, twelve, thirteen, fourteen, and fifteen dismissed against SLS, resulting in this action being dismissed in its entirety against SLS, BONYM, and MERS.

This action remains pending against Bank of America, N.A. (“BANA”) as to Counts six and sixteen.

DONE and ORDERED this 15th day of September, 2016.

/s/ Callie V. S. Granade
SENIOR UNITED STATES DISTRICT JUDGE