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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Jonathan B. Woods and Kerrie Woods, )  
Plaintiff, )  
vs. )  
Taylor, Bean & Whitaker Mortgage Corp., )  
et al. )  
Defendants. )

No. CV-10-723-PHX-GMS

**ORDER**

Pending before this Court are: (1) Plaintiff’s Motion for Attorney General Intervention, Doc. 52; (2) Plaintiff’s Motion for Relief from Order, Doc. 53; (3) Request for Judicial Notice, Doc. 55; and (4) Plaintiff’s Motion for Leave to Amend Amended Complaint, Doc. 57. Each of these motions is denied.

The Attorney General of the State of Arizona, upon being served with Plaintiff’s Motion for Intervention, Doc. 52, has explicitly declined to intervene. Therefore, Plaintiff’s Motion, to the extent it requires further ruling by this Court, is denied.

Plaintiffs’ Motion for Relief from Order, Doc 53, does not meet the requirements of Fed. R. Civ. P. 60 by raising any sufficient reason on which the Court should relieve the Plaintiffs from its previous Order. Plaintiffs merely seek to reargue the determinations made by the Court in its ruling on the motions to dismiss. The motion is, therefore, denied.

Plaintiffs’ Motion for Leave to Amend the Complaint is both futile, and procedurally

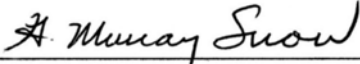
1 improper in light of the Court's dismissal with prejudice of the claims against certain  
2 Defendants. The Court has previously given Plaintiffs leave to amend their complaint, which  
3 was unavailing. See Doc. 23. In any case, the futility of Plaintiffs' attempt to reassert its  
4 arguments in the form of a request for injunctive relief has only been underlined by the Ninth  
5 Circuit's recent decision in *Cervantes v. Countrywide*, \_\_\_ F.3d \_\_\_, 2011 WL 3911031 (9th  
6 Cir. Sep. 7, 2011). Plaintiffs' Motion is therefore, denied.

7 In light of *Cervantes* and the Court's ruling on Plaintiffs' other post-dismissal  
8 motions, Plaintiffs' request to the Court to take judicial notice of materials is moot. Even  
9 were the Court to take judicial notice of the documents, it does not appear that such notice  
10 would change the Court's previous determinations. The request for judicial notice, Doc. 55,  
11 is, therefore, denied.

12 **IT IS THEREFORE ORDERED:**

- 13 1. Plaintiffs' Motion for Attorney General Intervention, Doc. 52, is **DENIED**.
- 14 2. Plaintiffs' Motion for Relief from Order, Doc. 53, is **DENIED**.
- 15 3. Request for Judicial Notice, Doc. 55, is **DENIED**.
- 16 4. Plaintiffs' Motion for Leave to Amend Amended Complaint, Doc. 57, is  
17 **DENIED**.

18 DATED this 12th day of October, 2011.

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22 G. Murray Snow  
23 United States District Judge  
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