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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ERIC S. KALUGIN,  
Plaintiff,  
vs.  
DEUTSCHE BANK NATIONAL  
TRUST COMPANY, et al.,  
Defendants.

Case No. 2:12-cv-09339-R-JCG  
**ORDER GRANTING MOTION TO  
DISMISS AND DISMISSING  
COMPLAINT; JUDGMENT OF  
DISMISSAL**  
Judge: Hon. Manuel L. Real

On February 4, 2013, the Motions to Dismiss and Motion to Strike Portions of Plaintiff’s Complaint of defendants Lender Processing Services, Inc. (“LPS”), Wolters Kluwer Financial Services, Inc. (wrongly sued as VMP Mortgage Solutions, Inc.), CT Corporation System, Deutsche Bank National Trust Company, Deutsche Bank Securities Corporation, Deutsche Bank Berkshire Mortgage, Inc., Deutsche Bank Americas Holding Corp., Deutsche Bank Aktiengesellschaft, Deutsche Bank Insurance Agency, Inc., Mortgage Electronic Registration Systems, Inc., Merscorp Holdings, Inc., Deutsche National Trust Company, as Trustee for Harborview Mortgage Loan Trust Mortgage Loan Pass-Through Certificates, Series 2006-7, Harborview Mortgage Loan Trust, Mortgage Loan Pass-Through Certificates, Series 2006-7, American Home Mortgage Servicing, Inc., Homeward

1 Residential, Inc., and KML Law Group, P.C. (“Moving Parties”) came on regularly  
2 for hearing in Courtroom 8 of this Court.

3 Plaintiff’s Emergency Motion to Stay the Proceedings was also heard and  
4 denied. The Court granted the defendants’ Motions to Dismiss under FRCP Rule  
5 12(b)(1) and (6). Specifically, the Court noted that plaintiff had failed to timely  
6 oppose the Motions and found that plaintiff failed to state a viable claim, providing  
7 only conclusory allegations in contravention of the requirements of *Bell Atlantic*  
8 *Corp. v. Twombly*, (2007) 550 U.S. 544. The Court also found that plaintiff failed to  
9 plead with the specificity. The Court further held that it lacked subject matter  
10 jurisdiction here as the case concerned Pennsylvania property; it was plaintiff's  
11 burden of proof to show jurisdiction and he made no such showing.

12 The Court denied the Motions to Strike Portions of Plaintiff’s Complaint as  
13 moot, and dismissed plaintiff’s Complaint in its entirety as to all named defendants,  
14 and as to all causes of action without leave to amend.

15 IT IS THEREFORE ORDERED that the Moving Parties’ Motions to Dismiss  
16 are GRANTED, with prejudice, for reasons as stated on the record. It is further  
17 ORDERED that the action is DISMISSED in its entirety as to all named defendants,  
18 with prejudice, for the same reasons stated in granting the motions of the Moving  
19 Parties. It is further ORDERED that the Motion to Strike by LPS is denied as moot.

20 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that  
21 JUDGMENT OF DISMISSAL is entered in favor of all named defendants and  
22 against plaintiff Eric Kalugin with prejudice. Defendants are entitled to costs.

23 IT IS SO ORDERED.

24  
25 Dated: February 13, 2013

  
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Manuel L. Real, Courtroom 8  
Judge, United States District Court