

CLOSED

1 WRIGHT, FINLAY & ZAK, LLP
 2 Joan Carol Spaeder-Younkin, Esq., SBN 192235
 3 Joshua R. Hernandez, Esq., SBN 258266
 4 4665 MacArthur Court, Suite 200
 5 Newport Beach, CA 92660
 6 Tel. (949) 477-5050; Fax (949) 608-9142
 7 jhernandez@wrightlegal.net

8 Attorneys for Defendant THE BANK OF NEW YORK MELLON FKA THE BANK
 9 OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, INC.
 10 ALTERNATIVE LOAN TRUST 2005-43 MORTGAGE PASS-THROUGH
 11 CERTIFICATES, SERIES 2005-43, *erroneously sued separately as* “The Bank of New
 12 York Mellon f/k/a/ The Bank of New York, a New York banking entity; and The Bank
 13 of New York Mellon, a non-existent New York Corporation”

14 **UNITED STATE DISTRICT COURT**

15 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

16 NIKI-ALEXANDER SHETTY, An
 17 individual,

18 Plaintiff,

19 vs.

20 RESIDENTIAL CREDIT
 21 SOLUTIONS, INC., A Delaware
 22 Corporation; THE BANK OF NEW
 23 YORK MELLON FKA THE BANK
 24 OF NEW YORK AS TRUSTEE FOR
 25 THE CERTIFICATEHOLDERS
 26 CWALT, INC. ALTERNATIVE
 27 LOAN TRUST 2005-43 MORTGAGE
 28 PASS-THROUGH CERTIFICATES,
 SERIES 2005-43, a fictitious entity;
 The Bank of New York Mellon f/k/a/
 The Bank of New York, a New York
 banking entity; THE BANK OF NEW
 YOR Mellon, a non-existent New York

Case No: CV 16-8774-GW(FFMx)

Assigned to Hon. George H. Wu

JUDGMENT OF DISMISSAL

Ctrm.: 9D (9th Floor)

Complaint filed: November 23, 2016

1 Corporation; All Persons Unknown
2 Claiming Any Legal or Equitable
3 Right, Title, Estate, Lien or Interest In
4 the Property Described In The
5 Complaint Adverse to Plaintiff's Title
6 Or Any Cloud On Plaintiff's Title
7 Thereto AND DOES 1-10 inclusive.

8
9 Defendants.

10 On March 2, 2017, the District Court, granted the Motion to Dismiss the First
11 Amended Complaint of Defendant THE BANK OF NEW YORK MELLON FKA THE
12 BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS
13 CWALT, INC. ALTERNATIVE LOAN TRUST 2005-43 MORTGAGE PASS-
14 THROUGH CERTIFICATES, SERIES 2005-43 ("BONYM" or "Defendant") with
15 prejudice.

16 Pursuant to the Court's Order **IT IS THEREFORE ORDERED, ADJUDGED**
17 **and DECREED** that a Judgment of Dismissal, with prejudice, is entered in favor of
18 Defendant THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK
19 AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, INC. ALTERNATIVE
20 LOAN TRUST 2005-43 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES
21 2005-43 and against Plaintiff NIKI-ALEXANDER SHETTY.

22
23 **IT IS SO ORDERED.**

24
25 Date: March 8, 2017

26 
27 _____
28 GEORGE H. WU, U.S. District Judge