

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RENEE' L. MARTIN,  
Plaintiff,  
v.  
LITTON LOAN SERVICING LP, et al.,  
Defendants.

No. 2:12-cv-970-MCE-EFB PS

ORDER

On February 18, 2015, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff filed objections on March 3, 2015. Defendants filed a response to plaintiff's objections on March 17, 2015. Those filings were considered by the undersigned.

This Court reviews de novo those portions of the proposed findings of fact to which objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). As to any portion of the proposed findings of fact to which no objection has been made, the Court assumes its correctness and decides the motions on the applicable law. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983).

1 The Court has reviewed the applicable legal standards and, good cause appearing,  
2 concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.  
3 Accordingly, IT IS ORDERED that:

4 1. The proposed Findings and Recommendations filed February 18, 2015 (ECF No. 131),  
5 are ADOPTED; and

6 2. Defendant's motion to dismiss plaintiff's third amended complaint (ECF No. 119) is  
7 GRANTED in part and DENIED in part as follows:

8 a. Plaintiff's FDCPA claim against defendants Deutsche Bank, Western, and  
9 Litton are DISMISSED without further leave to amend;


10 b. Plaintiff's quiet title claim is DISMISSED without further leave to amend;

11 c. Defendants' motion to dismiss plaintiff's FDCPA claim against Ocwen is  
12 DENIED; and

13 d. Defendants' motion to dismiss plaintiff's RESPA claim is DENIED.

14 IT IS SO ORDERED.

15 Dated: March 19, 2015

16  
17   
18 \_\_\_\_\_  
MORRISON C. ENGLAND, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT