

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

MICHAEL A. FAZIO and KIM MARIE
FAZIO,

No. 2:16-cv-2183 JAM DB PS

Plaintiffs,

ORDER

v.

FEDERAL HOME LOAN MORTGAGE
CORPORATION, JP MORGAN CHASE
BANK, NATIONAL ASSOCIATION;
MTC FINANCIAL, DBA TRUSTEE
CORPS; and DOES 1-100,

Defendants.

Plaintiffs are proceeding pro se with the above-entitled action. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21).

On June 2, 2017, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days after service of the findings and recommendations. The fourteen-day period has expired, and no party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

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

Accordingly, **IT IS HEREBY ORDERED** that:

1. The findings and recommendations filed June 2, 2017 (ECF No. 29) are adopted in full;
2. Defendant Freddie Mac's September 20, 2016 motion to dismiss the complaint's TILA claim (ECF No. 6) is granted;
3. The complaint's TILA cause of action is dismissed without leave to amend;
4. The court finds that defendant Trustee Corps is not a nominal defendant;
5. The court declines to exercise supplemental jurisdiction over the complaint's state law causes of action for wrongful foreclosure and cancelation of documents; and
6. This action is remanded to the El Dorado County Superior Court.

DATED: July 18, 2017

/s/ John A. Mendez
UNITED STATES DISTRICT COURT JUDGE

/fazio21834.jo