

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No. 07-cv-01505-REB-KMT

JAMES T.ARGYS, and
JANELLE A. ARGYS,

Plaintiffs,

v.

GREENPOINT MORTGAGE FUNDING, INC.,

Defendant.

**ORDER ADOPTING RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

The matter before me is the **Recommendation of United States Magistrate Judge** [#72], filed May 20, 2009. No objections having been filed to the recommendation, I review it only for plain error. **See *Morales-Fernandez v. Immigration & Naturalization Service***, 418 F.3d 1116, 1122 (10th Cir. 2005).¹ Finding no such error in the magistrate judge's recommended disposition, I find and conclude that the recommendation should be approved and adopted.

THEREFORE, IT IS ORDERED as follows:

1. That the **Recommendation of United States Magistrate Judge** [#72], filed May 20, 2009, is **APPROVED AND ADOPTED** as an order of this court;

¹ This standard pertains even though plaintiffs are proceeding *pro se* in this matter. ***Morales-Fernandez***, 418 F.3d at 1122.


2. That defendant's **Motion For Attorneys' Fees** [#64], filed October 9, 2008, is **GRANTED** on the basis that section 9 of the underlying Deed of Trust provides for the recovery of attorney fees in the circumstances occasioned by this lawsuit;

3. That defendant is **AWARDED** \$79,096.00 in attorney fees and costs against plaintiffs as additional indebtedness under the terms of the Deed of Trust; and

4. That judgment **SHALL ENTER** accordingly.

Dated June 12, 2009, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge