

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 12-cv-03119-REB-KLM

DAVID VERES, and
ROBIN VERES,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,
HSBC BANK USA NATIONAL ASSOCIATION, as trustee for Wells Fargo Asset
Securities Corporation, Mortgage Pass-Through Certificate Series 2006AR11,
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, and
DOES 1-10, Inclusive,

Defendants.

FINAL JUDGMENT

This **Final Judgment** is entered pursuant to Fed. R. Civ. P. 58(a) and in accordance with the **ORDER OVERRULING OBJECTION TO AND ADOPTING RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE [#25]** entered by Judge Robert E. Blackburn on March 21, 2014, which order is incorporated herein by this reference.

THEREFORE, IT IS ORDERED as follows:

1. That the **Recommendation of United States Magistrate Judge [#23]**, filed January 22, 2014, is **APPROVED AND ADOPTED** as an order of this court;
2. That the objections stated in **Defendants' Partial Objection to Magistrate Judge's Recommendation [#24]**, filed February 5, 2014, are **OVERRULED**;
3. That **Defendants' Motion To Dismiss and Supporting Memorandum Brief**

[#21], filed May 24, 2013, is **GRANTED**;

4. That plaintiffs' claims alleging violations of the Real Estate Settlement Procedures Act ("RESPA"), the Truth in Lending Act ("TILA"), the Home Ownership and Equity Protection Act ("HOEPA"), and the Fair Credit Reporting Act ("FCRA") as against all defendants implicated therein are **DISMISSED WITH PREJUDICE**;

5. That plaintiffs' claims under the Fair Debt Collection Practices Act ("FDCPA") are **DISMISSED** as follows:

a. That this claim against defendant HSBC Bank USA National Association, as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificate Series 2066AR11, is **DISMISSED WITH PREJUDICE**;

b. That this claim against defendant Mortgage Electronic Registration Systems is **DISMISSED WITHOUT PREJUDICE**;

6. That plaintiffs' claims against defendants Does 1-10, Inclusive, are **DISMISSED WITHOUT PREJUDICE**;

7. That the court **DECLINES** to exercise supplemental jurisdiction over plaintiffs' pendant state law claims and thus these claims are **DISMISSED WITHOUT PREJUDICE**;

8. That judgment with prejudice **IS ENTERED** as follows:

a. On behalf of defendant Wells Fargo Bank, N.A., against plaintiffs, David Veres and Robin Veres, as to plaintiffs' claims alleging violations of RESPA, TILA, HOEPA, and the FCRA;

b. On behalf of defendants, HSBC Bank USA National Association, as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-

Through Certificate Series 2066AR11; and Mortgage Electronic Registration Systems, against plaintiffs, David Veres and Robin Veres, as to plaintiffs' claims alleging violations of RESPA, TILA, and the FCRA;

c. On behalf of defendant, HSBC Bank USA National Association, as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificate Series 2066AR11, against plaintiffs, David Veres and Robin Veres, as to plaintiffs' FDCPA claim;

9. That judgment without prejudice **IS ENTERED** as follows:

a. On behalf of defendant, Mortgage Electronic Registration Systems, against plaintiffs, David Veres and Robin Veres, as to plaintiffs' FDCPA claim;

b. On behalf of defendants, Does 1-10, Inclusive, against plaintiffs, David and Robin Veres, as to all claims and causes of action asserted against these defendants;

c. On behalf of defendants, Wells Fargo Bank, N.A.; HSBC Bank USA National Association, as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificate Series 2066AR11; Mortgage Electronic Registration Systems; and Does 1-10, Inclusive, against plaintiffs, David Veres and Robin Veres, as to all state law claims and causes of action asserted herein; and

10. That defendants are **AWARDED** their costs, to be taxed by the clerk of the court pursuant to Fed. R. Civ. P. 54(d)(1) and D.C.COLO.LCivR 54.1.

DATED at Denver, Colorado, this 21st day of March, 2014.

FOR THE COURT:

Jeffrey P. Colwell, Clerk

By: s/Kathleen Finney
Kathleen Finney
Deputy Clerk