

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-02289-MSK-CBS

MARGARET A. SILVA, and  
RONALD P. SILVA  
Plaintiffs,

v.

US BANK,  
THE CASTLE LAW GROUP, LLC a/k/a Castle Stawiarski, LLC,  
LARRY CASTLE, in his corporate capacity,  
LARRY CASTLE, in his individual capacity,  
OCWEN LOAN SERVICING,  
GEORGE KENNEDY, Douglas County Public Trustee, and  
MERS, a division of MERSCORP,  
Defendants.

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ORDER

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Magistrate Judge Craig B. Shaffer

This civil action comes before the court on: (1) the “Motion of Defendants the Castle Law Group, LLC and Larry Castle to Dismiss for Failure to State a Claim upon which Relief Can Be Granted pursuant to Fed. R. Civ. P. 12(b)(6) and for Lack of Subject-Matter Jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1);” (2) the “Motion to Dismiss Defendants U.S. Bank, Castle Law Group, LLC a/k/a Castle Stawiarski, LLC; Larry Castle, in his corporate and individual capacities; George J. Kennedy, Douglas County Public Trustee, in his official capacity, and; MERS, a division of MERS Corp.,” and (3) “Motion to Amend Complaint.” Pursuant to the Order Referring Case dated September 10, 2013 (Doc. # 5) and the memoranda dated October 9, 2013 (Doc. # 13) and January 21, 2014 (Docs. # 36 and # 37), these matters were referred to the Magistrate Judge. The court having reviewed the Motions, the entire case file, and the proceedings held on December 11, 2013 (see

Courtroom Minutes/Minute Order (Doc. # 30)) and being sufficiently advised in the premises,

IT IS ORDERED that:

1. The “Motion to Amend Complaint” (filed January 10, 2014) (Doc. # 34) is GRANTED. The Second Amended Complaint (Doc. # 35) is accepted for filing on today’s date.

2. The “Motion to Dismiss Defendants U.S. Bank, Castle Law Group, LLC a/k/a Castle Stawiarski, LLC; Larry Castle, in his corporate and individual capacities; George J. Kennedy, Douglas County Public Trustee, in his official capacity, and; MERS, a division of MERS Corp.” (filed January 10, 2014) (Doc. # 32) is DENIED as moot, as the listed Defendants are no longer parties in the case pursuant to the Second Amended Complaint.

3. The “Motion of Defendants the Castle Law Group, LLC and Larry Castle to Dismiss for Failure to State a Claim upon which Relief Can Be Granted pursuant to Fed. R. Civ. P. 12(b)(6) and for Lack of Subject-Matter Jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1)” (filed September 17, 2013) (Doc. # 7) is DENIED as moot, as the moving Defendants are no longer parties in the case.

4. A Rule 16 Scheduling and Planning Conference will be set by a separate Order.

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

BY THE COURT:

s/Craig B. Shaffer  
United States Magistrate Judge