

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior District Judge Richard P. Matsch

Civil Action No. 15-cv-01554-RPM

SUSAN LATHAM,

Plaintiff,

v.

FIVE BROTHERS MORTGAGE COMPANY SERVICES AND SECURING INC.,  
EDDIE BROWN,  
TAMARA LEE FRAWLEY, and  
COLORADO RESTORATIONS PLUS, LLC,

Defendants.

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ORDER DISMISSING FIVE BROTHERS MORTGAGE COMPANY SERVICES AND  
SECURING INC.

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Jurisdiction of this civil action is based on the claim against defendant Five Brothers Mortgage Company Services and Securing Inc. for violation of the Fair Debt Collection Practices Act, 15 U.S.C. Section 1692(f) alleged in the first claim for relief in the amended complaint. The defendant filed a motion to dismiss all claims under FRCP 12(b)(6). Pursuant to the hearing held today, the Court has determined that the facts alleged do not constitute a violation of that section of the Act and therefore this court lacks jurisdiction and cannot rule on the other claims for relief. Accordingly, the first claim for relief in the first amended complaint is dismissed with prejudice and the remaining claims against Five Brothers Mortgage Company Services and Securing Inc. are dismissed without prejudice.

DATED: October 20<sup>th</sup>, 2015

BY THE COURT:

s/Richard P. Matsch

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Richard P. Matsch, Senior Judge