

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No: 2:16-cv-109-FtM-29UAM

RICHARD C. SHAW, ROSE O. SHAW,
SAINT ANDREWS IVY, B.T., OCWEN
LOAN SERVICING LLC and LEE
COUNTY, FLORIDA,

Defendants.

ORDER

This matter comes before the Court upon review of the Motion to Substitute Party Defendant filed on April 3, 2019. Doc. 62. In the Complaint, Plaintiff named Ocwen Loan Servicing LLC (“Ocwen”) as a Defendant. Doc. 1. Ocwen was the original servicer for the note secured by a mortgage on the property located at 2301 Ivy Avenue, Fort Myers, Florida. Doc. 1 ¶¶ 14-15. However, on August 28, 2018, the loan was transferred from Ocwen to Nationstar Mortgage LLC d/b/a Mr. Cooper (“Nationstar”). Doc. 62 at 2; *see* Doc. 62-1. The motion requests that Ocwen be dismissed as a party to the case and that Nationstar be substituted in its place so that the proceeds of the sale can be disbursed and the mortgage satisfied. Doc. 62 at 2. Pursuant to Rule 25(c) of the Federal Rules of Civil Procedure, “[i]f an interest is transferred, the action may be continued by or against the original party unless the court, on motion, orders the transferee to be substituted in the action or joined with the original party.” Fed. R. Civ. P. 25(c). Ocwen attached the document evidencing transfer of interest to Nationstar. Doc. 62-1. Based on the transfer of interest, the Court will substitute Nationstar for Ocwen.

ACCORDINGLY, it is

ORDERED:

1. The Motion to Substitute Party Defendant (Doc. 62) is **GRANTED**.
2. The Clerk is directed to edit the docket to add Nationstar Mortgage LLC d/b/a Mr.

Cooper as a Defendant and terminate Ocwen Loan Servicing LLC as a Defendant.

DONE and **ORDERED** in Fort Myers, Florida on this 11th day of April, 2019.



DOUGLAS N. FRAZIER
UNITED STATES MAGISTRATE JUDGE

Copies:
Counsel of record