

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

ALBERT E. RITCHIE,

Plaintiff,

v.

Case No:5:12-CV-333-Oc-10PRL

**RESIDENTIAL ASSET
SECURITIZATION TRUST 2006-A10,
DEUTSCHE BANK NATIONAL TRUST
COMPANY, MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC. (“MERS”); and
ONEWEST BANK, FSB**

Defendants.

ORDER

This matter is before the Court on the Joint Motion to Moot Plaintiff’s Request for Entry of Default and to Set Aside and Vacate the Clerk’s Entry of Default as to Defendant OneWest Bank, FSB (Doc. 29).

On December 7, 2012, the Clerk entered default against OneWest Bank, FSB. (Doc. 18). Plaintiff, Albert E. Ritchie and Defendant, OneWest Bank, FSB jointly move the Court to enter an Order mooting Plaintiff’s Request for Entry of Default (Doc. 17) and setting aside and vacating the Clerk’s default. Simultaneous with the filing of the instant motion, OneWest Bank, FSB also filed a notice (Doc. 30) advising of its joinder in and adoption of the motion to dismiss filed by Defendants Deutsche Bank National Trust Company and Mortgage Electronic Registration Systems, Inc.

Upon due consideration, the Joint Motion (Doc. 29) is **GRANTED** and the Clerk's default entered against OneWest Bank, FSB on December 7, 2012 (Doc. 18) is hereby **SET ASIDE**.¹

DONE and **ORDERED** in Ocala, Florida on January 14, 2013.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties

¹ Because the Court has already ruled on Plaintiff's motion for entry of default and it is no longer pending, there is nothing for the Court to moot.