

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

WILLIAM ISNER and TERI ISNER,

Plaintiffs,

-vs-

Case No. 6:12-cv-1575-Orl-19TBS

JPMORGAN CHASE BANK, N.A.; STATE
STREET BANK AND TRUST COMPANY,
and WASHINGTON MUTUAL
MORTGAGE SECURITIES
CORPORATION MORTGAGE PASS-
THROUGH CERTIFICATE SERIES 2002-
MS3,

Defendants.

ORDER

This case is before the Court on Defendants' Motion to Dismiss Plaintiff's (sic) Complaint, or in the Alternative, For a More Definite Statement (Doc. No. 13) filed November 26, 2012. The United States Magistrate Judge has submitted a report recommending that the motion be granted.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

1. That the Report and Recommendation filed January 15, 2013 (Doc. No. 20) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. Defendants' Motion to Dismiss Plaintiffs' Complaint, or in the Alternative, For a More Definite Statement (Doc. No. 13) is **GRANTED**.

3. Plaintiffs' Complaint is hereby **STRICKEN** as a shotgun pleading.

4. Count I of Plaintiffs' Complaint against Defendant JPMorgan Chase Bank is **DISMISSED without prejudice**, for failure to state a claim upon which relief may be granted.

5. Count III of Plaintiffs' Complaint is **DISMISSED without prejudice** against all Defendants.

6. Plaintiffs' request for attorney's fees is hereby **STRICKEN**.

7. Plaintiffs are granted leave to file an Amended Complaint within twenty-one (21) days from the date of this Order. Failure to file an Amended Complaint within the time allowed herein will result in this case being closed without further notice.

8. Defendants' request that Plaintiffs be ordered to attach a complete copy of the Closed Loan Forensic Loan Securitization Legal Chain of Title and Analysis Report to Plaintiffs' Amended Complaint is **DENIED**.

DONE and ORDERED in Chambers, Orlando, Florida this 21st day of February, 2013.



JOHN ANTOON II
United States District Judge

Copies furnished to:

United States Magistrate Judge