

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARION J. TUCKER and STEPHANIE
TUCKER,

Plaintiffs,

v.

CHARLES SCHWAB BANK, f/k/a Charles
Schwab Bank, N.A., and MORGAN
STANLEY CAPITAL I, INC., f/k/a Morgan
Stanley Dean Witter Credit Corporation,

Defendants.

Case No.: 12-cv-03399

Judge Tharp

MORGAN STANLEY CAPITAL'S MOTION FOR ENTRY OF JUDGMENT

Defendant, MORGAN STANLEY CAPITAL I, INC., ("Morgan Stanley Capital"), by its attorney, Todd P. Stelter, requests this Court enter judgment in its favor and against plaintiffs, stating as follows:

1. Plaintiffs filed a Notice of Voluntary Dismissal of Morgan Stanley Capital on July 10, 2013. [Doc#51].
2. The Notice specifically indicates that Morgan Stanley Capital was to be dismissed from this case with prejudice. [Doc#51; PageID#1238].

WHEREFORE, Morgan Stanley Capital respectfully requests this Court enter judgment in its favor and against plaintiffs and for such other relief as the Court may deem just, proper and equitable.

Respectfully submitted,

By: _____s/ Todd P. Stelter _____
One of Defendant, Morgan Stanley Capital's
Attorneys

Todd Stelter
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CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2013, I electronically filed **MORGAN STANLEY'S MOTION FOR ENTRY OF JUDGMENT** with the Clerk of the Court using the CM/ECF system which will send notification of such filing(s) to the following:

Robert Lee Stone

Email: rlstone@propertyrightslawgrp.com

Respectfully submitted,

By: s/Todd P. Stelter

Todd P. Stelter
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