

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

OCWEN LOAN SERVICING,

Plaintiff,

v.

TIONGCO F. PHELPS,

Defendant.

Case No. 10-cv-762-JPG-SCW

MEMORANDUM AND ORDER

This matter comes before the Court on the motion of plaintiff Ocwen Loan Servicing to substitute Nationstar Mortgage, LLC as the plaintiff in this case (Doc. 28). Ocwen asserts that it has transferred its interest in this matter to Nationstar, but it has provided no evidentiary support for that transfer.

Federal Rule of Civil Procedure 25(c) provides a procedural mechanism for authorizing such a substitution, but whether the substitution is warranted depends on whether the interest was actually transferred as a matter of substantive law. *See Panther Pumps & Equip. Co. v. Hydrocraft, Inc.*, 566 F.2d 8, 24-25 (7th Cir. 1977). Ocwen has provided no evidence of a valid transfer of interest. The Court **ORDERS** that Ocwen shall have up to and including April 11, 2014, to submit a supplemental brief describing the nature of the transfer and setting forth supporting evidence. The Court **RESERVES RULING** on the motion to substitute (Doc. 28) pending receipt of the supplemental brief. The Court further **STRIKES** the motion for an order approving the report of sale (Doc. 29) because it is not double-spaced as required by Local Rule 5.1(b).

IT IS SO ORDERED.**DATED: March 27, 2014**

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE