

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

## **ORDER**

On December 18, 2012, the Court granted in part and denied in part Plaintiff Deborah Walton’s Motion for Partial Summary Judgment. [Dkt. 168.] In its Order, the Court denied Ms. Walton’s request for summary judgment on Count VIII, “For An Accounting Pursuant To The RESPA,” stating that Ms. Walton had not set forth any provision in RESPA which would require Defendant Chase Home Finance LLC (“Chase”) to provide an “accounting” and, indeed, there is none. [*Id.* at 9, n.4 (citing *Aniel v. Litton Loan Servicing, LP*, 2011 U.S. Dist. LEXIS 18870, \*5 (N.D. Cal. 2011) (“there is no statutory basis for an accounting under RESPA”) (citation omitted)).] Further, the Court ordered Ms. Walton to show cause by December 28, 2012 why the Court should not grant summary judgment in favor of Chase on that claim pursuant to Fed. R. Civ. P. 56(f). [Dkt. 168 at 25.]

To date, Ms. Walton has not responded to the Court's Order to Show Cause. According-  
ly, pursuant to Fed. R. Civ. P. 56(f), the Court **GRANTS** summary judgment in favor of Chase  
on Ms. Walton's RESPA accounting claim, Count VIII.

01/15/2013

Jane Magnus Stinson

Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

**Distribution via ECF only:**

Ryan R. Frasher  
RYAN FRASHER P.C.  
rfrasher@frasherlaw.com

Steven D. Groth  
BOSE MCKINNEY & EVANS, LLP  
sgroth@boselaw.com

Oni N. Harton  
BOSE MCKINNEY & EVANS, LLP  
oharton@boselaw.com

David J. Jurkiewicz  
BOSE MCKINNEY & EVANS, LLP  
djurkiewicz@boselaw.com

David Michael Kasell  
SADIS & GOLDBERG LLP  
dkasell@sglawyers.com

Samuel Jay Lieberman  
SADIS & GOLDBERG LLP  
sieberman@sglawyers.com

Theodore J. Nowacki  
BOSE MCKINNEY & EVANS, LLP  
tnowacki@boselaw.com

Alan S. Townsend  
BOSE MCKINNEY & EVANS, LLP  
atownsend@boselaw.com