

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

DEBORAH WALTON,
Plaintiff,

vs.

CHASE HOME FINANCE LLC,
Defendant.

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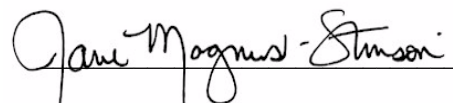
1:11-cv-00417-JMS-MJD

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. Accordingly, 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



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

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