

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

U.S. BANK N.A. AS INDENTURED TRUSTEE
ON BEHALF OF THE NOTEHOLDERS OF
AEGIS BACKED SECURITY TRUST
2005-3 MORTGAGE BACKED NOTES

CIVIL ACTION

VERSUS

NO: 11-1204

DONALD ANTHONY GAUDET (A/K/A
DONALD A. GAUDET, DONALD
GAUDET)

SECTION "N" (1)

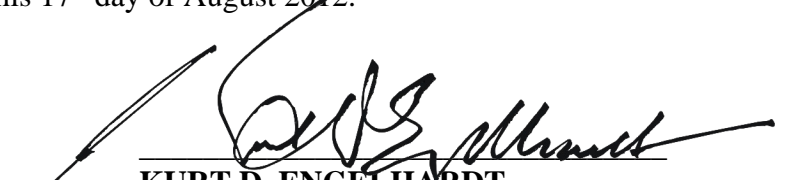
ORDER AND REASONS

Presently before the Court is Donald Gaudet's motion seeking reconsideration (Rec. Doc. 20) of the Court's prior Order and Reasons (Rec. Doc. 19) granting the motion to dismiss filed by Defendant-in-Reconvention U.S. Bank N.A., as Indentured Trustee on Behalf of the Noteholders of Aegis Backed Security Trust 2005-3 Mortgage Backed Notes ("U.S. Bank") (Rec. Doc. 6).¹ The Court previously granted U.S. Bank's motion to dismiss to the extent that the re-conventional demand filed by Mr. Gaudet was dismissed without prejudice to his right to file, no later than fifteen (15) days from the entry of the Order and Reasons, an amending and superseding re-conventional demand remedying the pleading deficiencies identified therein. Rather than filing an amending and superseding pleading, Mr. Gaudet filed the motion to reconsider presently before

¹ U.S. Bank removed Mr. Gaudet's reconventional demand to this Court from the Twenty-Fourth Judicial District Court, Parish of Louisiana, on May 20, 2011. *See* Notice of Removal (Rec. Doc. 1)

the Court. Having carefully reviewed the parties' submissions, the Court's prior Order and Reasons, and applicable law, **IT IS ORDERED**, for essentially the reasons stated in U.S. Bank's opposing memoranda (Rec. Docs. 21 and 29), that Mr. Gaudet's motion to reconsider (Rec. Doc. 20) is **DENIED**. The motion reveals neither new evidence, an intervening change in the law, or a manifest error of law or fact.

New Orleans, Louisiana, this 17th day of August 2012.



KURT D. ENGELHARDT
United States District Judge