

**UNITED STATES DISTRICT COURT
District of Maine**

DONALD P. LARIVIERE,)	
)	
Plaintiff)	
)	
v.)	No. 2:11-cv-326-GZS
)	
BANK OF NEW YORK AS)	
TRUSTEES, et als.,)	
)	
Defendants)	

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on November 17, 2011, her Recommended Decision (Docket No. 23). Plaintiff filed his Objection to the Recommended Decision (Docket No. 24) on December 7, 2011. Defendants Mortgage Electronic Registration Systems, Inc., the Bank of New York Mellon f/k/a the Bank of New York, and Litton Loan Servicing, L.P. filed their Response to Plaintiff’s Objection to the Recommended Decision (Docket No. 25) on December 27, 2011.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is hereby **ORDERED** that the Motion to Dismiss (Docket No. 12) filed by Defendants Bank of New York, Litton Loan Servicing, and Mortgage Electronic Registration Systems is **GRANTED**.
3. It is hereby **ORDERED** that the Motion to Dismiss (Docket No. 13) filed by Defendant Bank of America is **GRANTED**.
4. It is hereby **ORDERED** that Plaintiff's Motion to Remand (Docket No. 20) is **DENIED**.
5. It is hereby **ORDERED** that all of the claims in Plaintiff's Complaint are **DISMISSED WITH PREJUDICE**.

/s/George Z. Singal
U.S. District Judge

Dated this 3rd day of January, 2012.