

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 14-13593-GAO

CITIBANK, N.A., not in Its Individual Capacity but Solely as  
Separate Trustee for PMT NPL FINANCING 2015-1,  
Plaintiff,

v.

RENEE ANNA NAJDA a/k/a RENEE NAJDA, ANDREW NAJDA, and  
ANY and ALL OCCUPANTS,  
Defendants and Counterclaimants,

v.

CITIBANK, N.A. as Trustee for the Benefit of SWDNSI TRUST SERIES 2010-3,  
PENNYMAC, CORP., SPECIALIZED LOAN SERVICING, LLC,  
and CITIMORTGAGE, INC.,  
Counterclaim Defendants.

ORDER  
June 27, 2017

O'TOOLE, D.J.

This Order resolves the following pending motions:

1. The defendants' Motion for Continuance of the trial date (dkt. no. 209) is DENIED.
2. The plaintiff's Motion to Withdraw its Opposition to Defendants' Motion to Continue the Trial Date and File an Amended Opposition Thereto (dkt. no. 211) is GRANTED. The proposed brief included with that motion is deemed to have been a brief and was considered by the Court. It does not need to be filed separately.
3. The defendants' Motion to Allow Examination and Testing of a Note (dkt. no. 214) is DENIED.

4. The defendants' Motion to Extend Deadline to Designate and Serve Expert Reports (dkt. no. 215) is ALLOWED *nunc pro tunc* as to Robert A. Silverman. The deadline shall be extended to July 3, 2017, for the sole purpose of allowing Mr. Silverman time to complete his expert appraisal report. The motion is otherwise DENIED.
5. The plaintiff's Motion for Clarification Regarding Remaining Counterclaims (dkt. no. 216) is GRANTED. As to Citibank N.A., in its capacity as trustee for PMT NPL FINANCING 2015-1 ("Citibank Trustee"), the following counterclaims remain to be resolved at trial: Count I (Declaratory Judgment), Count II (Slander of Title), Count VIII (Violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692), and Count X (Violation of M.G.L. ch. 93A, §§ 2, 9).
6. The plaintiff's Motion to Strike Defendants' Expert Report (dkt. no. 217) is DENIED without prejudice, subject to renewal and resolution at trial.
7. The plaintiff's Motion for Leave to File a Brief Reply to Defendants' Opposition to Plaintiff's Motion to Strike (dkt. no. 222) is DENIED.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.  
United States District Judge