

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROGER L. ALLEN,

Plaintiff,

v.

LITTON LOAN SERVICING AND  
OCWEN LOAN SERVICING,

Defendants.

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Case No. 15-13591

Paul D. Borman  
United States District Judge

R. Steven Whalen  
United States Magistrate Judge

OPINION AND ORDER:

- (1) ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION (ECF No. 12);
- (2) GRANTING DEFENDANT OCWEN LOAN SERVICING'S  
MOTION TO DISMISS (ECF NO. 3);
- (3) DISMISSING WITH PREJUDICE LITTON LOAN SERVICING;  
AND (4) DISMISSING THE ACTION WITH PREJUDICE

On August 31, 2015, Magistrate Judge R. Steven Whalen issued a Report and Recommendation that recommended that this Court grant Defendant Ocwen's Loan Servicing's Motion to Dismiss (ECF No. 3) and dismiss the claims against Defendant Ocwen with prejudice. The Magistrate Judge also recommended that the Court *sua sponte* dismiss the unserved Defendant Litton Loan Servicing with prejudice pursuant to Fed. R. Civ. P. 12(b)(1). *See Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999).

Having thoroughly reviewed the Report and Recommendation and there being no timely objections filed to the report pursuant to 28 U.S.C. § 636(b)(1) and E.D. Mich L.R. 72.1(d), the Court will adopt the Magistrate Judge's Report and Recommendation.

Accordingly, the Court ADOPTS the Magistrate Judge's Report and Recommendation (ECF No. 12), GRANTS Defendant Ocwen Loan Servicing's Motion to Dismiss (ECF No. 3), DISMISSES WITH PREJUDICE Defendant Litton Loan Servicing, and DISMISSES this action with PREJUDICE.

IT IS SO ORDERED.

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: September 22, 2016

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on September 22, 2016.

s/Deborah Tofil  
Case Manager