

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JPMCC 2007-CIBC19 WEST 11 MILE
ROAD, LLC,

Plaintiff,

v.

Case Number 17-14135

Honorable David M. Lawson

CUMBERLAND GLOBAL, LLC,

Defendant.

**ORDER GRANTING PLAINTIFF'S *EX PARTE* MOTION TO TERMINATE THE
RECEIVERSHIP AND DISMISS THE CASE**

This matter is before the Court on the plaintiff's *ex parte* motion for an order terminating the receivership and dismissing the case. The complaint seeking enforcement of the plaintiff's mortgage interest in the subject property was filed on December 21, 2017. The defendant never has appeared in the case, and it has not filed any answer to the complaint or any other papers. The Clerk of Court entered the defendant's default on April 20, 2018.

In its present motion, the plaintiff represents that the defendant consented to a foreclosure sale of the property and a sheriff's sale was conducted on September 11, 2018. The plaintiff was the high bidder at the sale. The redemption period expired on March 11, 2019, and the defendant's interest in the property thereby was extinguished. The plaintiff now wishes to take possession of the property and no longer requires the services of the Receiver to maintain it. The plaintiff also represents that all of its claims have been satisfied and it does not anticipate that it can receive any further relief from this Court. It therefore asks the Court to dissolve the receivership and dismiss the case. The Court has reviewed the motion, which is unopposed, and finds that the terms proposed by the plaintiff for dismissal of the matter are proper. *See* Fed. R. Civ. P. 41(a)(2). The Court therefore will grant the motion, terminate the receivership, and dismiss the case.

Accordingly, it is **ORDERED** that the plaintiff's *ex parte* motion to terminate the receivership and dismiss the case (ECF No. 49) is **GRANTED**.

It is further **ORDERED** that the receivership is **TERMINATED** as of March 28, 2019.

It is further **ORDERED** that the Receiver's bond hereby is **DISSOLVED**.

It is further **ORDERED** that the Receiver shall file his final report and application for payment of any outstanding fees and final disbursement of funds **on or before April 24, 2019**.

It is further **ORDERED** that the case is **DISMISSED**.

s/David M. Lawson _____
DAVID M. LAWSON
United States District Judge

Date: March 28, 2019

PROOF 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 March 28, 2019.

s/Susan K. Pinkowski _____
SUSAN K. PINKOWSKI