

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

MICHAEL HALEY and
MAUREEN HALEY,

Plaintiffs,

v.

ORDER

Civil File No. 13-1930 (MJD/JSM)

THE BANK OF NEW YORK MELLON
f/k/a The Bank of New York as Trustee
for the Certificateholders CWALT, Inc.
Alternative Loan Trust 2005-56 Mortgage
Pass-Through Certificates, Series 2005-56,
et al.

Defendants.

The above-entitled matter comes before the Court upon the Report and Recommendation of Chief United States Magistrate Judge Arthur J. Boylan dated November 21, 2013. Plaintiffs filed a “Rule 201 Request for Judicial Notice” [Docket No. 17], which the Court will liberally construe as an objection¹ to the

¹ By Order dated January 14, 2014 (Civil No. 13-mc-49 (MJD) [Docket No. 10]), this Court suspended attorney William B. Butler from the practice of law in the United States District Court, District of Minnesota, effective December 26, 2013. Because Defendant’s objection was filed prior to his suspension, the Court has considered the objection in making its decision.

Report and Recommendation. Defendant filed a response to the Request for Judicial Notice.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation of Chief United States Magistrate Judge Boylan dated November 21, 2013.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED²:**

1. The Court **ADOPTS** the Report and Recommendation of Chief United States Magistrate Judge Arthur J. Boylan dated November 21, 2013 [Docket No. 16].
2. Defendants' Motion to Dismiss [Docket No. 6] is **GRANTED**.
3. This matter is **DISMISSED WITH PREJUDICE**.
4. The Clerk's Office is directed to send a copy of this Order to William B. Butler, 33 South Sixth Street, Suite 4100, Minneapolis, MN 55402.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 28, 2014

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court

² Attorney Butler is reminded of his obligation to notify his clients of the Court's decision herein.