

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANTHONY W. HALL, as Trustee for B.A.H. :
Private Interest Foundation Holdings Trust, :
: :
: :
Plaintiff, :
: :
-against- :
: :
NATIONSTAR MORTGAGE LLC, :
AMERICAN HOME MORTGAGE CORP., :
HOMEWARD RESIDENTIAL, INC., :
MORTGAGE ELECTRONIC REGISTRATION: :
SYSTEMS, INC. (MERS), FEDERAL :
NATIONAL MORTGAGE ASSOCIATION, :
BRADY NICHAS, MATTHEW J. :
JOHNSTONE, JOHN/JANE DOE, :
: :
Defendants. :
----- X

MEMORANDUM & ORDER

13-cv-05550 (ENV) (CLP)

FILED
 IN CLERK'S OFFICE
 U.S. DISTRICT COURT E.D.N.Y.
 ★ FEB 11 2014 ★
 BROOKLYN OFFICE

VITALIANO, D.J.,

Plaintiff Anthony W. Hall, appearing *pro se* in his capacity as trustee for B.A.H. Private Interest Foundation Holdings Trust (the “trust”), commenced this action in Supreme Court, Kings County, asserting various state and federal law claims against the defendants. Defendants Nationstar Mortgage LLC (“Nationstar”), Mortgage Electronic Registration Systems, Inc. (“MERS”), and Federal National Mortgage Association (“Fannie Mae”) (collectively, the “Nationstar defendants”) removed the suit to this Court on October 8, 2013, on the grounds of federal question and diversity jurisdiction. By Order entered on November 27, 2013, a copy of which is annexed to this Order, this Court granted Hall 30 days in which to appear by a licensed attorney admitted to practice before

this Court, on the ground that a trust may only appear in this Court through an attorney. On January 16, 2014, Hall having made no appearance by an attorney, this Court dismissed the case without prejudice.

On January 31, 2014, Hall, still representing himself, filed a document that the Court will treat as a motion for reconsideration of the Order dismissing the case. Since reconsideration would be futile in light of Hall's lack of counsel, the motion is denied. However, the Court notes that this case was dismissed without prejudice. Therefore, if plaintiff has obtained counsel, which is essential for the reasons stated in the November 27, 2013 Order, counsel may refile this case at any time, subject to the Federal Rules of Civil Procedure and Local Civil Rules.

Conclusion

For the reasons stated above, Hall's January 31, 2014 filing is deemed to be a motion for reconsideration and is denied.

SO ORDERED.

**Dated: Brooklyn, New York
February 6, 2014**


s/Eric N. Vitaliano

ERIC N. VITALIANO
United States District Judge