

AO 450 (Rev. 5/85)

United States District Court
EASTERN DISTRICT OF NORTH CAROLINA

ROSA H. JOHNSON and
EDGAR W. JOHNSON,
Plaintiffs,

v.

BAC HOME LOANS SERVICING, LP FKA
COUNTRYWIDE HOME LOANS SERVICING
LP, THE LAW FIRM OF HUTCHENS, SENTER
& BRITTON, P.A., SUBSTITUTE TRUSTEE
SERVICES, INC., DEBORAH N. HOOKER,
C.T. SALYER, JOHN A. MUNDULAK,
Defendants.

JUDGMENT IN A CIVIL CASE
CASE NO. 5:10-CV-271-F

Decision by Court.

IT IS ORDERED AND ADJUDGED that pursuant to the court's order dated January 21, 2011, the Motions to Dismiss pursuant to Rule 12(b)(5) at [DE-28; DE-35] are DENIED without prejudice; the Motions to Dismiss pursuant to Rule 12(b)(6) at [DE-25; DE-28; DE-32; DE-35; DE-40] are ALLOWED without prejudice. The Motion to Dismiss the Amended Complaint [DE-54] is DENIED as moot; the Motion for Summary Judgment and Motions for More Definite Statement [DE-25; DE-40] are DENIED as moot.

FURTHER IT IS ORDERED AND ADJUDGED that the Motion to Dismiss the Amended Complaint pursuant to 12(b)(5) by defendants Deborah N. Hooker and John A. Mandulak [DE-71] are DENIED; the Motion to Dismiss the Amended Complaint pursuant to 12(b)(6) by defendant Substitute Trustee Services, Inc. [DE-61], the Motion to Dismiss the Amended Complaint pursuant to 12(b)(6) filed by defendant The Law Firm of Hutchens, Senter & Britton, P.A. [DE-62] and the Motion to Dismiss the Amended Complaint pursuant to 12(b)(6) filed by defendants Deborah N. Hooker, C.T. Salyer and John A. Mandulak [DE-73] are ALLOWED. The Motion to Dismiss defendant BAC's Counterclaim [DE-80] is DENIED AS MOOT. The Clerk of Court is DIRECTED to close this case.

THE ABOVE JUDGMENT WAS ENTERED TODAY, **September 29, 2011**, AND A COPY MAILED VIA ELECTRONICALLY OR BY REGULAR MAIL TO:

Rosa H. Johnson and Edgar W. Johnson (via regular mail to 2803 Red Valley Drive, Rougemont, NC 27572)

Hilton Terry Hutchens, Jr. (via CM/ECF Notice of Electronic Filing)

Richard Lynn Jackson (via CM/ECF Notice of Electronic Filing)

September 29, 2011

Date

DENNIS P. IAVARONE

Clerk of Court

/s/ Susan K. Edwards

*(By) Deputy Clerk*

*Wilmington, NC*