

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:11-CV-676-F(1)

JERRY BRYANT and)
CATHLEEN C. BRYANT,)
Plaintiffs,)
)
v.)
)
U.S. BANCORP; REAL TIME)
RESOLUTIONS, INC.; FPMI CREDITOR)
TRUST; WILMINGTON TRUST CO.;)
NATIONAL EQUITY CORP.; and FIRST)
AMERICAN FINANCIAL CORP.,)
Defendants.)

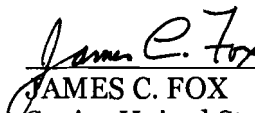
ORDER

The plaintiff's uncontested Motion to Remand [DE-26] is ALLOWED. Because the plaintiffs have filed a voluntary dismissal [DE-30] as against the defendant that removed the case, FPMI Creditor Trust, plaintiffs' incorporated motion for attorney's fees, costs and expenses is DENIED. The court deems it unnecessary to determine whether defendant National Equity Corp. is or is not a "nominal party."

This matter hereby is REMANDED to the Superior Court of Wake County, North Carolina.

SO ORDERED.

This, the 26th day of January, 2012.



JAMES C. FOX
Senior United States District Judge