

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

BRIAN C. BAKER, )  
Plaintiff, )  
v. )  
BANK OF AMERICA, N.A., US BANK )  
NATIONAL ASSOCIATION and SPECIALIZED )  
LOAN SERVICING, LLC, )  
Defendants. )

**JUDGMENT IN A CIVIL CASE  
CASE NO. 5:13-CV-92-F**

**Decision by Court.**

This action came before the Honorable James C. Fox, Senior United States District Judge, for ruling as follows:

**IT IS ORDERED, ADJUDGED AND DECREED** that the Defendants’ motion to dismiss is **ALLOWED** and the complaint is hereby **DISMISSED**. Count three, Baker’s claim for breach of the covenant of good faith and fair dealing, is **DISMISSED** without prejudice to file in state court. Counts one and two are **DISMISSED** with prejudice. The Clerk of Court is **DIRECTED** to close this case.

**This Judgment Filed and Entered on January 27, 2014, and Copies To:**

Michelle Merck Walker (via CM/ECF Notice of Electronic Filing)  
James C. White (via CM/ECF Notice of Electronic Filing)  
D. Kyle Deak (via CM/ECF Notice of Electronic Filing)

DATE  
January 27, 2014

JULIE A. RICHARDS, CLERK  
/s/ Susan K. Edwards  
(By) Susan K. Edwards, Deputy Clerk