

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

H. Anthony James, *et al.*, :
Plaintiffs, : Case No. 1:17-cv-501
v. : Judge Susan J. Dlott
Ocwen Loan Servicing, LLC., : Order Overruling the Objections and
Defendant. : Affirming the Report and
: Recommendation

This matter was referred to United States Magistrate Judge Stephanie K. Bowman.

Pursuant to such reference, the Magistrate Judge reviewed the pleadings and issued a Report and Recommendation (Doc. 40) on December 12, 2017. Subsequently, Defendant filed Objections (Doc. 42) to the Report and Recommendation.

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* the filings in this matter as required by Rule 72(b) of the Federal Rule of Civil Procedure. Upon consideration of the foregoing, the Court **OVERRULES** the Objections and **AFFIRMS** the Report and Recommendation. However, the Court clarifies that Plaintiffs cannot argue in subsequent proceedings that Defendant violated 15 U.S.C. § 1692d(5) because they did not expressly or impliedly state such a claim in the Complaint.

IT IS SO ORDERED.

Dated this 6th day of March, 2018.

BY THE COURT:

S/Susan J. Dlott
Susan J. Dlott
United States District Judge