

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>STEWART SHERK, et al.</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>COUNTRYWIDE HOME LOANS, INC., et al.</b>	:	<b>NO. 08-5969</b>

**ORDER**

**AND NOW**, this 5th day of August, 2009, upon consideration of the Motion of Defendants Countrywide Home Loans, Inc., Mortgage Electronic Registration Systems, Inc., HSBC Bank USA, N.A., and Alt-A Securities Mortgage Loan Trust To Dismiss Plaintiffs' Second Amended Complaint (Document No. 44); Defendants Theresa Sirianni, Vince Sirianni and Bi-Weekly Mortgage Corporation's Renewed Motion To Dismiss Pursuant To Rule 12(b)(6) (Document No. 45); Defendant Gambone Construction Co.'s Motion To Dismiss Plaintiffs' Second Amended Complaint Pursuant to Rule 12(b)(6) *Nunc Pro Tunc* (Document No. 57); the plaintiffs responses in opposition (Document Nos. 46, 48, 62); and after oral argument, it is **ORDERED** that the motions are **GRANTED**, and this action is **DISMISSED**.

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/s/ Timothy J. Savage  
TIMOTHY J. SAVAGE, J.