

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

MARSHALL S. SCHROEDER, *et al.*,

Plaintiffs,

v.

BANK OF AMERICA CORP. (BAC),
GOLDBECK MCCAFFERTY & MCKEEVER,
P.C., *et al.*,

Defendants.

CIVIL ACTION NO. 3:CV-12-0589

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

ORDER

NOW, this 24th day of January, 2013, upon review of the Report and Recommendation of Magistrate Judge Martin C. Carlson (Doc. 22) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report & Recommendation (Doc. 22) is **ADOPTED**.
- (2) The motions to dismiss the Complaint (Docs. 5; 8) are **GRANTED**.
- (3) The Complaint is **DISMISSED without prejudice**. Plaintiffs are granted leave to file an amended complaint **within twenty-one (21) days** from the date of entry of this Order. Failure to timely file an amended complaint will result in the dismissal of the action **with prejudice**.
- (4) The matter is **RECOMMITTED** to Magistrate Judge Carlson for further proceedings.



A. Richard Caputo
United States District Judge