

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

LORRAINE PAGANO,

Plaintiff,

v.

VENTURES TRUST 2013-1-HR, *et al.*,

Defendants.

CIVIL ACTION NO. 3:CV-15-1489


(JUDGE CAPUTO)

(MAGISTRATE JUDGE
MEHALCHICK)

ORDER

NOW, this 23rd day of February, 2016, upon review of the Report and Recommendation of Magistrate Judge Karoline Mehalchick (Doc. 26) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report & Recommendation (Doc. 26.) is **ADOPTED in its entirety**;
- (2) Defendants' motions to dismiss (Doc. 20; Doc. 22.) are **GRANTED**;
- (3) Plaintiff's tort and breach of contract claims in Counts III and VII of her complaint (Doc. 1.) are **DISMISSED WITHOUT PREJUDICE**;
- (4) Plaintiff's request for declaratory judgment, quiet title action, slander of title claim, and fraud claims asserted in Counts I, II, VI, and VIII of her complaint (Doc. 1.) are **DISMISSED WITH PREJUDICE**;
- (5) Plaintiff's RESPA and breach of the covenant of good faith and fair dealing claims asserted in Counts IV and V of her complaint (Doc. 1.) are **DISMISSED WITH PREJUDICE**;
- (6) Plaintiff shall be granted thirty (30) days leave to amend her complaint and reassert her remaining claims in accordance with Rule 8(d)(1) of the Federal Rules of Civil Procedure; and
- (7) The matter is remanded to Magistrate Judge Mehalchick for further proceedings.


A. Richard Caputo
United States District Judge