

**RAYMOND S. CRIMONE and REBECCA A. CRIMONE,**

**Plaintiffs,**

**VS.**

**MCCABE, WEISBERG & CONWAY, P.C.;  
MARC S. WEISBERG, ESQ.; ANDREW L.  
MARKOWITZ, ESQ.; NATIONSTAR  
MORTGAGE, LLC; EKKER, KUSTER,  
MCCALL & EPSTEIN, LLP; THOMAS R.  
DOBSON; SANDELANDS EYET; MATTHEW  
T. EYET, ESQ.; AND DOES 1-10,**

## Defendants.

**2:14-cv-00808-TFM-CRE**

**MEMORANDUM ORDER OF COURT**

This case is before the Court regarding the pending Report and Recommendation filed by Magistrate Judge Cynthia Reed Eddy on June 12, 2015 (ECF No. 43) in which she recommended that this Court grant the motions to dismiss filed by Defendants in this matter: The Honorable Thomas R. Dobson (ECF No. 3); Nationstar Mortgage LLC, Sandelands Eyet, and Matthew T. Eyet, Esq. (ECF No. 5); McCabe, Weisberg & Conway, P.C., Marc S. Weisberg, Esq., Andrew L. Markowitz, Esq. (ECF No. 15); and Ekker, Kuster, McCall & Epstein, LLP (ECF No. 21).<sup>1</sup> In addition, Judge Eddy recommended that the Court dismiss with prejudice Plaintiffs' federal claims asserted under the Fair Debt Collection Practices Act and the United States Constitution, decline to exercise supplemental jurisdiction as to Plaintiffs' state-law claims alleging violations

1. Defendants McCabe, Weisberg & Conway, P.C., Marc S. Weisberg, Esq. and Andrew L. Markowitz, Esq. and Defendant Ekker, Kuster, McCall & Epstein, LLP also moved, in the alternative, for an order striking the pleading in accordance with Federal Rule of Civil Procedure 12(f).

of various Pennsylvania statutes and procedural rules, and disallow Plaintiffs from filing a Second Amended Complaint because to do so would be futile.

Plaintiffs were served with the Report and Recommendation and advised of the time within which to file objections. Plaintiffs have since filed objections (ECF No. 44) in which they assert a series of accusations against Judge Eddy, Defendants, the Pennsylvania Bar, and the judiciary as a whole. To be sure, none of their factual or legal challenges to the Report and Recommendation have a semblance of merit.

Accordingly, after a *de novo* review of the pleading and documents in this case, the following order is entered:

**AND NOW**, this 30<sup>th</sup> day of June, 2015:

**IT IS HEREBY ORDERED** that the Report and Recommendation is **ADOPTED** as the Opinion of the Court, and therefore, the motions to dismiss (ECF Nos. 3, 5, 15, 21) filed by the above-captioned Defendants are **GRANTED**, and the claims against Defendants are **DISMISSED** for the reasons set forth in the Report and Recommendation.<sup>2</sup>

**IT IS FURTHER ORDERED** that the motions to strike filed by Defendants McCabe, Weisberg & Conway, P.C., Marc S. Weisberg, Esquire and Andrew L. Markowitz, Esquire and Defendant Ekker, Kuster, McCall & Epstein, LLP are **DENIED AS MOOT**.

**IT IS FURTHER ORDERED** that the Clerk shall docket the above-captioned action **CLOSED**.

By the Court:

s/ Terrence F. McVerry  
Senior United States District Judge

---

2. The Court dismisses without prejudice the state-law claims over which it declines to exercise supplemental jurisdiction—with the exception of those counts asserted against Judge Dobson and barred by judicial immunity. *See Figueroa v. Buccaneer Hotel Inc.*, 188 F.3d 172, 182 (3d Cir. 1999).

cc: **Raymond S. Crimone**  
2917 Sandy Lake Grove City Road  
Stoneboro, PA 16153  
**Rebecca A. Crimone**  
2917 Sandy Lake Grove City Road  
Stoneboro, PA 16153

(via First Class and Certified Mail)

**Matthew T. Eyet**  
Email: [meyet@sandelandslaw.com](mailto:meyet@sandelandslaw.com)  
**Joseph F. Riga**  
Email: [jriga@mwc-law.com](mailto:jriga@mwc-law.com)  
**Sarah C. Kellogg**  
Email: [sck@ekmelaw.com](mailto:sck@ekmelaw.com)  
**Caroline Liebenguth**  
Email: [legaldepartment@pacourts.us](mailto:legaldepartment@pacourts.us)

(via CM/ECF)