UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

KENNETH FITCH and ESTATE OF DIANNE L. FITCH,

Plaintiffs,

v.

FEDERAL HOUSING FINANCE AGENCY; FEDERAL NATIONAL MORTAGE ASSOCIATION; WELLS FARGO BANK, N.A.; 266 PUTNAM AVENUE, LLC; RUSHMORE LOAN MANAGEMENT SERVICES LLC; US BANK NATIONAL ASSOCIATION as Trustee for RMAC TRUST, SERIES 2016-CTT,

Defendants.

C.A. No. 18-214-JJM-PAS

ORDER

Before the Court are two motions: Plaintiffs Kenneth Fitch and the Estate of Dianne L. Fitch's Motion to Alter Judgment (ECF No. 193) and their objection (ECF No. 191) to the April 14, 2022 Report and Recommendation ("R&R") (ECF No. 190) of Magistrate Judge Patricia A. Sullivan granting partial summary judgment for Defendant Federal National Mortgage Association ("Fannie Mae"). The Court has reviewed all the briefing and is familiar with the issues of this extensively litigated case.

The Motion to Alter Judgment is rooted in the Court's Order entered in favor of Defendant 266 Putnam Avenue, LLC (ECF No. 189) and essentially reargues

Plaintiffs' objections to Magistrate Judge Sullivan's R&R recommendation that granted summary judgment on their breach of contract claim. The Court has reviewed Plaintiffs' motion, 266 Putnam's Objection (ECF No. 201), and the Reply (ECF No. 202) and finds that Plaintiffs have not raised any arguments or legal bases that they have not previously raised to either the Magistrate Judge or to this Court. Therefore, the Court sees no grounds to vacate its order. The Court DENIES Plaintiffs' Motion to Alter Judgment. ECF No. 193.

Regarding Plaintiffs' objection (ECF Nos. 191, 202) to Magistrate Judge Sullivan's R&R (ECF No. 190), the Court accepts the thorough and well-reasoned R&R for the reasons stated in it. The motion and R&R track issues 266 Putnam raised in its motion for summary judgment that the Court decided in its favor and against Plaintiffs. *See Fitch v Fed. Hous. Fin. Agency*, C.A. No. 18-214JJM, 2022 WL 684083 (D.R.I. Mar. 8, 2022), *adopted*, 2022 WL 980743 (D.R.I. Mar. 31, 2022). Because the Court has considered the bases for Plaintiffs' objections to the R&R in previous orders, it ADOPTS the R&R and GRANTS Fannie Mae's Motion for Partial Summary Judgment (ECF No. 172) and DENIES Plaintiffs' Motion for Partial Summary Judgment. ECF No. 160. Judgment should enter in favor of all remaining Defendants as to all counts.

IT IS SO ORDERED.

John J. McConnell, Jr.
Chief Judge
United States District Court

July 8, 2022