

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEAST DIVISION

<b>VICKI L. HENDERSON, and</b>	)	
<b>LEE H. HENDERSON,</b>	)	
	)	
<b>Plaintiffs,</b>	)	<b>No. 2:11-0048</b>
	)	<b>Judge Sharp</b>
<b>v.</b>	)	<b>Magistrate Judge Knowles</b>
	)	
<b>SHAPIRO &amp; KIRSCH, LLP and</b>	)	
<b>OCWEN LOAN SERVICING, LLC,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

This Order concerns Magistrate Judge Knowles’ two, separate Report and Recommendations (Docket Entry Nos. 44 and 45), both of which were entered on September 26, 2011.

The Magistrate Judge entered a Report and Recommendation (Docket Entry No. 44), recommending that Defendant Shapiro & Kirsch, LLP’s *Motion to Dismiss Or, Alternatively, For More Definite Statement and Motion to Dissolve Preliminary Injunction* (Docket Entry No. 37) be granted and the Magistrate Judge entered a second Report and Recommendation (Docket Entry No. 45), recommending that Defendant Ocwen Loan Servicing, LLC’s *Motion to Dismiss and To Dissolve Temporary Injunction* (Docket Entry No. 39) also be granted because Plaintiffs failed to comply with the mandates of this Court’s June 28, 2011 Order. Despite being specifically advised in each of the Report and Recommendations that any objections to the recommended dispositions needed to be filed within fourteen days, Plaintiffs have filed no objections.

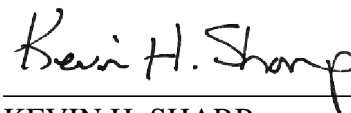
On June 28, 2011, the Court ordered that within thirty days of the entry of that Order, Plaintiffs must pay into the Clerk of this Court, as security under Fed. R. Civ. P. 65(c), a payment of \$13,540.57, to be held in the Court's registry pending further order. The Court's June 28, 2011 Order further required that, beginning July 20, 2011, and continuing thereafter on the 20<sup>th</sup> day of each month, Plaintiffs must pay into the Clerk of this Court, as security under Fed. R. Civ. P. 65(c), a payment of \$700 per month. Upon inquiry, Defendants learned from the Court Clerk that Plaintiffs have not made either of the payments ordered by the Court.

Having conducted a *de novo* review of the matter in accordance with Fed. R. Civ. P. 72(b), the Court agrees with the Magistrate Judge's recommendations. Accordingly,

- (1) The Report and Recommendations (Docket Entry Nos. 44 and 45) are hereby ACCEPTED and APPROVED; and
- (2) Pursuant to Federal Rules of Civil Procedure 65(b)(4) and 41(b), Defendant Shapiro & Kirsch, LLP's *Motion to Dismiss Or, Alternatively, For More Definite Statement and Motion to Dissolve Preliminary Injunction* (Docket Entry No. 37) and Defendant Ocwen Loan Servicing, LLC's *Motion to Dismiss and To Dissolve Temporary Injunction* (Docket Entry No. 39) are hereby GRANTED because Plaintiffs failed to comply with the mandates of this Court's June 28, 2011 Order.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.



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KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE