

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

MIKE O. IKE and EARLENE G.
IKE,
Plaintiffs,
v.
QUANTUM SERVICING CORPORATION,
WMC MORTGAGE, LLC, and WILSON
& ASSOCIATES, PLLC,
Defendants.
No. 11-2914

ORDER MODIFYING ORDER ON MOTION TO DISMISS

On August 20, 2012, the Court dismissed Plaintiffs Mike and Earlene Ikes' (the "Ikes") claims against Defendant Quantum Servicing Corporation ("Quantum") for failure to prosecute. (ECF No. 23.) On August 27, 2012, the Court dismissed the Ikes' claims against Defendant Wilson & Associates, PLLC on the merits. (ECF No. 24.) Neither Order addressed claims brought against Defendant WMC Mortgage, LLC ("WMC").

"As long as a district court has jurisdiction over the case, then it possesses the inherent procedural power to . . . modify an interlocutory order for cause seen by it to be sufficient." Leelanau Wine Cellars, Ltd. v. Black & Red, Inc., 118 F. App'x 942, 946 (6th Cir. 2004) (emphasis omitted); see also In re Saffady, 524 F.3d 799, 802-03 (6th Cir. 2008). On

June 22, 2012, WMC joined Quantum's motion to dismiss. (ECF No. 17.) WMC adopted by reference Quantum's legal arguments. (Id.) The Court's August 20 Order should operate to terminate the Ikes' claims against WMC and Quantum. Thus, the August 20 Order is MODIFIED to include a dismissal with prejudice of the Ikes' claims against WMC. The Ikes' claims against WMC are DISMISSED WITH PREJUDICE.

So ordered this 28th day of August, 2012.

s/ Samuel H. Mays, Jr. \_\_\_\_\_  
SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE