

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

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BERNARED EUGENE COLEMAN,

Plaintiff,

v.

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEM, INC.; LIME  
FINANCIAL SERVICES, LTD; ASSURED  
ESCROW AND TITLE; SAXON  
MORTGAGE; OCWEN LOAN  
SERVICING, LLC; and DEUTSCH BANK  
NATIONAL TRUST,

Defendants.

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) No. 2:14-cv-02141-SHL-cgc  
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**ORDER ADOPTING THE REPORT AND RECOMMENDATION AND GRANTING  
DEFENDANTS' MOTIONS TO DISMISS**

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Before the Court is the Magistrate Judge’s Report and Recommendation (ECF No. 21) on Defendants’ Motions to Dismiss (ECF Nos. 14, 16). The Magistrate Judge filed her Report and Recommendations on October 16, 2014, and Plaintiff filed a timely objection to the Report and Recommendation on October 29, 2014. (See ECF No. 22.)

District courts must conduct a *de novo* review of the parts of a magistrate judge's report and recommendation to which a party objects. See 28 U.S.C. § 636(b)(1). However, after conducting a *de novo review*, a district court is not required to articulate all of the reasons for which it rejects a party's objections. Tuggle v. Seabold, 806 F.2d 87, 92 (6th Cir. 1986). This Court has conducted a *de novo* review by reviewing the record before the Magistrate Judge in light of Plaintiff's objections and hereby ADOPTS the Report and Recommendation in its entirety. Defendants’ Motions to Dismiss are GRANTED on *res judicata* grounds because Plaintiff has already litigated nearly identical claims against these identical parties. See Bernard

Coleman v. Lime Financial Services, LTD, et al., Case No. 2:11-cv-2282-JTF-tmp (W.D. Tenn.).

As the Magistrate Judge correctly noted, it is not completely clear from Coleman's complaint if the exact issues presented in this complaint were litigated in the earlier case, however, the issues are so similar that if they were not litigated, they should have been, and therefore they are barred by *res judicata*. See Bragg v. Flint Bd. of Educ., 570 F.3d 775, 777 (6th Cir. 2009).

**IT IS SO ORDERED**, this 22nd day of January, 2015.

/s/ Sheryl H. Lipman  
SHERYL H. LIPMAN  
U.S. DISTRICT COURT JUDGE