

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

CHARLES R. SOLOMON

Plaintiff,

v.

BAC HOME LOANS SERVICING,  
L.P. f/k/a COUNTRYWIDE HOME  
LOANS SERVICING, L.P. and  
FEDERAL NATIONAL MORTGAGE  
ASSOCIATION, a/k/a FANNIE MAE

Defendants.

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Case No. 4:10-CV-614

**MEMORANDUM ADOPTING IN PART REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

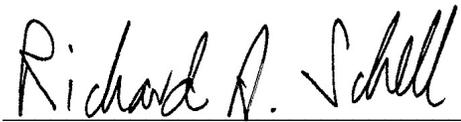
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 15, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants’ motion for summary judgment (Dkt. 57) be GRANTED in part and DENIED in part.

The court has made a *de novo* review of the objections raised by Defendant Bank of America, as well as the Plaintiff’s response and the Defendant’s reply, and is of the opinion that the Defendant’s objections have merit. Accordingly, the court hereby adopts those portions of the findings and conclusions of the Magistrate Judge’s report and recommendation granting the Defendant’s motion for summary judgment as the findings and conclusions of the court. Further,

having considered and sustained the Defendant's objections to the Magistrate Judge's report and recommendation concerning the Plaintiff's claims alleging violations of Sections 392.304(a)(8) and 392.304(a)(19) of the Texas Finance Code, the court hereby grants summary judgment with respect to the same. Based on the foregoing, the Defendant's motion for summary judgment is hereby **GRANTED** in its entirety.

IT IS SO ORDERED.

**SIGNED this the 3rd day of October, 2013.**

Handwritten signature of Richard A. Schell in black ink.

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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE