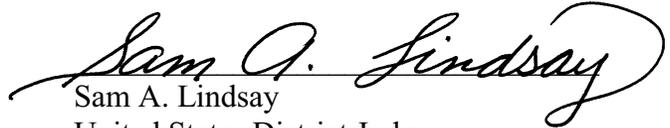


to Plaintiff's claims based on alleged violations of the Texas Deceptive Practices Act and Texas Property Code and promissory estoppel, which the court **dismisses with prejudice**. Defendants' motions are **denied** with respect to Plaintiff's claims for common law fraud; negligent misrepresentation; and (as to Bank of America only) negligent hiring, supervision, and management.* Plaintiff's request to replead any dismissed claims is **denied** because these claims fail as a matter of law, and the court concludes that any attempt at repleading them would be futile and unnecessarily delay the litigation.

It is so ordered this 5th day of October, 2015.


Sam A. Lindsay
United States District Judge

* According to the Report, Defendant Green Tree also moved to dismiss Plaintiff's negligent hiring and supervision claim, although Plaintiff only asserted this claim against Bank of America. Accordingly, the court agrees with the magistrate judge and **denies as moot** Green Tree's motion to dismiss on this ground.