IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA

CHARLOTTESVILLE DIVISION

CATHERINE E. JACOBSEN,

CASE No. 3:09-cv-00077

Plaintiff,

ORDER

BANK OF AMERICA, N.A., and FEDERAL NATIONAL MORTGAGE ASSOCIATION.

v.

JUDGE NORMAN K. MOON

Defendants.

This matter is before the court upon consideration of Defendants' motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) (docket no. 21). In accordance with the accompanying memorandum opinion, Defendants' motion is hereby GRANTED in part and DENIED in part. Specifically, Defendants' motion is GRANTED with respect to Plaintiff's claim arising out of the refinance loan transaction, but denied with respect to Plaintiff's claim arising out of the home equity line of credit transaction.

It is so ORDERED.

The Clerk of the Court is directed to send a certified copy of this order and the accompanying memorandum opinion to all counsel of record.

Entered this _____ day of December, 2010.

UNITED STATES DISTRICT JUDGE

ONTIED STATES DISTRICT JODGE