

Honorable Ronald B. Leighton

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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 ROSALIND SMITH,

11 Plaintiff,

12 v.

13 WELLS FARGO BANK, N.A.; WELLS
14 FARGO HOME MORTGAGE; EAGLE
15 HOME MORTGAGE; DOES ONE TO
TWENTY, INCLUSIVE,

16 Defendants.

No. CV-11-5533-RBL

ORDER GRANTING DEFENDANT
EAGLE HOME MORTGAGE, LLC'S
MOTION TO DISMISS THE
COMPLAINT PURSUANT TO FED. R.
CIV. P. 12(b)(6)

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18 This matter comes before the Court on Defendant Eagle Home Mortgage, LLC's
19 Motion to Dismiss the Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) [Dkt. #17]. Plaintiff
20 has not responded to the motion. The Court having reviewed the records and files herein,
21 hereby states as follows:

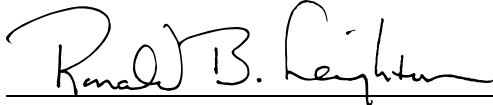
22 Plaintiff's Complaint states bald allegations with no factual support and does not
23 raise intelligible claims. Even assuming that Plaintiff's conclusory accusations were
24 proper, however, Eagle is statutorily exempt from Plaintiff's TILA and FDCPA claims.
25 Because all of Plaintiff's claims are based on these alleged violations, the rest of Plaintiff's
26 claims must fail as well.

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IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

Defendant Eagle Home Mortgage, LLC's Motion to Dismiss [Dkt. #17] pursuant to Fed. R. Civ. P. 12(b)(6) is hereby **GRANTED**. Plaintiff's claims against Eagle Home Mortgage, LLC are dismissed with prejudice, and without leave to amend.

DATED this 19th day of October, 2011.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE