

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:16-cv-00656-wmc**

Moore, Terrance et al v. Wells Fargo Home Mortgage
Assigned to: District Judge William M. Conley
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 12:2605 Violation of RESPA & WCA

Date Filed: 09/28/2016
Date Terminated: 02/15/2018
Jury Demand: Plaintiff
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

Plaintiff

Terrance Moore

represented by **Briane F. Pagel , Jr.**
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Plaintiff

Dixie Moore

represented by **Briane F. Pagel , Jr.**
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V.

Defendant

Wells Fargo Home Mortgage

represented by **Stephanie L. Dykeman**
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Date Filed	#	Docket Text
09/28/2016	1	COMPLAINT against Wells Fargo Home Mortgage. (Filing fee \$ 400 receipt number 0758-1890343.), filed by All Plaintiffs, (Attachments: # 1 Civil Cover Sheet, # 2 Disregard. Not to be e-filed.) (Pagel, Briane) Modified on 9/28/2016. (lak) (Entered: 09/28/2016)
09/28/2016	2	Disregard. (Pagel, Briane) Modified on 9/28/2016 (jat). (Entered: 09/28/2016)
09/28/2016		Case randomly assigned to Magistrate Judge Stephen L. Crocker. (jat) (Entered: 09/28/2016)
09/28/2016		Standard attachments for Magistrate Judge Stephen L. Crocker required to be served on all parties with summons or waiver of service: Corporate Disclosure Statement , Order Regarding Assignment of Civil Cases , Notice of Assignment to a Magistrate Judge and Consent/Request for Reassignment , Order on Dispositive Motions . (jat) (Entered: 09/28/2016)
09/28/2016	3	Request for Issuance of Summons by Plaintiffs Dixie Moore, Terrance Moore. (Pagel, Briane) (Entered: 09/28/2016)
09/28/2016	4	Summons Issued as to Wells Fargo Home Mortgage. (jat) (Entered: 09/28/2016)
11/15/2016		Action Requested: Counsel for plaintiff requested to promptly file proof of service. (jat) (Entered: 11/15/2016)
11/17/2016	5	Affidavit of Service by Plaintiff. Wells Fargo Home Mortgage served on 11/17/2016, answer due 12/8/2016. (Pagel, Briane) (Entered: 11/17/2016)
12/06/2016	6	ANSWER by Defendant Wells Fargo Home Mortgage. (Dykeman, Stephanie) (Entered: 12/06/2016)
12/06/2016	7	Corporate Disclosure Statement by Defendant Wells Fargo Home Mortgage. (Dykeman, Stephanie) (Entered: 12/06/2016)
12/06/2016		Set Telephone Conference: Telephone Pretrial Conference set for 12/28/2016 at 01:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [Standing Order Governing Preliminary Pretrial Conference attached] (jat) (Entered: 12/06/2016)
12/22/2016		Case randomly reassigned to District Judge William M. Conley and Magistrate Judge Stephen L. Crocker. (cak) (Entered: 12/22/2016)
12/28/2016	8	Notice of Suggestion of Bankruptcy by Plaintiffs Dixie Moore, Terrance Moore. (Pagel, Briane) (Entered: 12/28/2016)
12/28/2016		Notice to Counsel: The Telephone Pretrial Conference set for 12/28/2016 at 1:30 PM before Magistrate Judge Stephen L. Crocker is canceled. (kwf) (Entered: 12/28/2016)
12/28/2016		Set Status Conference: Telephone Status Conference set for 2/14/2017 at 1:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. (arw) (Entered: 12/28/2016)
12/28/2016	9	** TEXT ONLY ORDER ** In light of plaintiffs' having filed for bankruptcy protection on December 27, 2016 (<i>see</i> dkt. 8), the December 28, 2016 telephonic preliminary pretrial conference is canceled. The court will hold a telephonic status conference on February 14, 2017 at 1:00 PM. Signed by Magistrate Judge Stephen

		L. Crocker on 12/28/2016. (arw) (Entered: 12/28/2016)
02/14/2017		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Status Conference held on 2/14/2017 [:10] (cak) (Entered: 02/14/2017)
02/14/2017	10	** TEXT ONLY ORDER ** At a February 14, 2017 unrecorded telephonic status conference, counsel for both sides reported that they believe the bankruptcy court will lift the stay for this lawsuit so that it may proceed apace. As a result, this court set March 7, 2017 as the deadline for the parties to submit their 26(f) report, along with confirmation that this lawsuit has been green-lighted by the bankruptcy court. This court will hold the telephonic preliminary pretrial conference on March 9, 2017 at 1:30 p.m., with plaintiffs' attorney initiating the conference call to chambers. Finally, we set jury selection and trial for March 19, 2018 at 9:00 a.m. so that this case can keep its place in line. The parties had no other matters to bring to the court's attention. Signed by Magistrate Judge Stephen L. Crocker on 2/14/17. (jat) (Entered: 02/14/2017)
02/14/2017		Set Telephone Conference: Telephone Pretrial Conference set for 3/9/2017 at 01:30 PM before Magistrate Judge Stephen L. Crocker. Counsel for Plaintiff responsible for setting up the call to chambers at (608) 264-5153. [Standing Order Governing Preliminary Pretrial Conference attached] (jat) (Entered: 02/14/2017)
03/06/2017	11	Joint Preliminary Pretrial Conference Report by Plaintiffs Dixie Moore, Terrance Moore. (Pagel, Briane) (Entered: 03/06/2017)
03/09/2017		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference held on 3/9/2017 [:10] (cak) (Entered: 03/09/2017)
03/22/2017	12	Pretrial Conference Order - Amendments to Pleadings due 3/31/2017. Dispositive Motions due 10/6/2017. Settlement Letters due 2/9/2018. Motions in Limine due 2/16/2018. Response to Motion due 3/2/2018. Final Pretrial Conference set for 3/13/2018 at 04:00 PM. Jury Selection and Trial set for 3/19/2018 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 3/15/17. (jat) (Entered: 03/22/2017)
10/05/2017	13	MOTION FOR SUMMARY JUDGMENT by Defendant Wells Fargo Home Mortgage. Brief in Opposition due 10/26/2017. Brief in Reply due 11/6/2017. (Piotrowski, Ericka) (Entered: 10/05/2017)
10/05/2017	14	Brief in Support of 13 Motion for Summary Judgment by Defendant Wells Fargo Home Mortgage. (Piotrowski, Ericka) (Entered: 10/05/2017)
10/05/2017	15	Affidavit of Tamara Golden filed by Defendant Wells Fargo Home Mortgage re: 13 Motion for Summary Judgment, (Attachments: # 1 Exhibit - Letter dated 8/10/2016, # 2 Exhibit - Letter dated 9/30/2016) (Piotrowski, Ericka) Modified on 10/5/2017. (lak) (Entered: 10/05/2017)
10/05/2017	16	Affidavit of Ericka C. Piotrowski filed by Defendant Wells Fargo Home Mortgage re: 13 Motion for Summary Judgment, (Attachments: # 1 Exhibit A - Electronic Docket Report, 2011-CV-2758, # 2 Exhibit B - Dixie Moore's Responses to First Set of Written Discovery Requests, # 3 Exhibit C - Terrence Moore's Responses to First Set of Written Discovery Requests, # 4 Exhibit D - Plaintiff's Objection to Defendant's Motion for Injunctive Relief, # 5 Exhibit E - Electronic Docket Report, 2013-15492-rdm, # 6 Exhibit F - Stipulation, Affidavit of Default, Order Granting Deutsche Bank's Motion for Relief from Automatic Stay, # 7 Exhibit G - Moore's Notice of Motion and Motion to Stay Sheriff's Sale,

		# 8 Exhibit H - Electronic Docket Report, 2016-14280-cjf, # 9 Exhibit I - Mikulski v. Wells Fargo Bank, N.A., et al., No. 17-CV-179, 2017, # 10 Exhibit J - Plaintiffs' Fed.R.Civ.P. 26(a)(1)(A) Initial Disclosure) (Piotrowski, Ericka) Modified on 10/5/2017: Detailed e-mail to counsel. Disregard future entries. (lak) (Entered: 10/05/2017)
10/05/2017	17	Proposed Findings of Fact filed by Defendant Wells Fargo Home Mortgage re: 13 Motion for Summary Judgment. (Piotrowski, Ericka) (Entered: 10/05/2017)
10/11/2017		Reset Deadlines as to 13 MOTION FOR SUMMARY JUDGMENT. Brief in Opposition due 11/2/2017. Brief in Reply due 11/16/2017. (See Pretrial Conference Order 12) (jat) (Entered: 10/11/2017)
11/02/2017	18	Brief in Opposition by Plaintiffs Dixie Moore, Terrance Moore re: 13 Motion for Summary Judgment filed by Wells Fargo Home Mortgage. (Pagel, Briane) (Entered: 11/02/2017)
11/02/2017	19	Response to Proposed Findings of Fact filed by Plaintiffs Dixie Moore, Terrance Moore re: 13 Motion for Summary Judgment. (Pagel, Briane) (Entered: 11/02/2017)
11/02/2017	20	Disregard. See 24 . Modified on 11/3/2017. (lak) (Entered: 11/02/2017)
11/02/2017	21	Disregard. Page 2 is missing. See 25 . Modified on 11/3/2017. (lak) (Entered: 11/02/2017)
11/02/2017	22	Affidavit of Dixie Finley a/k/a Dixie Moore filed by Plaintiffs Dixie Moore, Terrance Moore re: 13 Motion for Summary Judgment. (Pagel, Briane) (Entered: 11/02/2017)
11/02/2017	23	Affidavit of Attorney Briane F. Pagel filed by Plaintiffs Dixie Moore, Terrance Moore re: 13 Motion for Summary Judgment, (Attachments: # 1 Exhibit A - Chapter 13 Bankruptcy Plan, # 2 Exhibit B - Wells Fargo Proof of Claim in Plaintiff's Bankruptcy, # 3 Exhibit C - 25 Year Amortization Schedule, # 4 Exhibit D - 40 Year Amortization Schedule (Last page is blank.) (Pagel, Briane) Modified on 11/3/2017: Exhibit descriptions. (lak) (Entered: 11/02/2017)
11/03/2017	24	Proposed Findings of Fact filed by Plaintiffs Dixie Moore, Terrance Moore re: 13 Motion for Summary Judgment. (lak) (Entered: 11/03/2017)
11/07/2017	25	Affidavit of Terrance Moore filed by Plaintiffs Dixie Moore, Terrance Moore re: 13 Motion for Summary Judgment. (Pagel, Briane) (Entered: 11/07/2017)
11/16/2017	26	Brief in Reply by Defendant Wells Fargo Home Mortgage in Support of 13 Motion for Summary Judgment. (Piotrowski, Ericka) Modified on 11/16/2017. (lak) (Entered: 11/16/2017)
11/16/2017	27	Reply in Support of Proposed Findings of Fact filed by Defendant Wells Fargo Home Mortgage re: 13 Motion for Summary Judgment <i>and Response to Plaintiffs' Additional Proposed Findings of Fact</i> . (Piotrowski, Ericka) (Entered: 11/16/2017)
11/16/2017	28	Supplemental Affidavit of Ericka C. Piotrowski filed by Defendant Wells Fargo Home Mortgage re: 13 Motion for Summary Judgment, (Attachments: # 1 Exhibit 1 - State Court Complaint (Foreclosure), # 2 Exhibit 2 - State Court Answer (Moore), # 3 Exhibit 3 - State Court Affidavit in Support of Summary Judgment (Foreclosure), # 4 Exhibit 4 - State Court Judgment (Foreclosure), # 5 Exhibit 5 - Moore Hardship Letters, # 6 Exhibit 6 - Escrow Disclosure Statement, # 7 Exhibit 7 - State Court Petition for Dismissal, # 8 Exhibit 8 - State Court Petition and Order to Vacate Dismissal, # 9 Exhibit 9 - Warranty Deed (Moore)) (Piotrowski, Ericka) Modified on 11/16/2017. (lak) (Entered: 11/16/2017)

02/14/2018	29	** TEXT ONLY ORDER ** In light of the court's intent to enter summary judgment in defendant's favor by the end of the week, all pre-trial submission deadlines and the trial date are STRUCK. Signed by District Judge William M. Conley on 2/14/2018. (jls) (Entered: 02/14/2018)
02/15/2018	30	OPINION AND ORDER granting 13 Defendant Wells Fargo Home Mortgage's Motion for Summary Judgment. Signed by District Judge William M. Conley on 2/15/18. (jat) (Entered: 02/15/2018)
02/15/2018	31	JUDGMENT entered in favor of Defendant Wells Fargo Home Mortgage dismissing the case. (jat) (Entered: 02/15/2018)
03/13/2018	32	NOTICE OF APPEAL by Plaintiffs Dixie Moore, Terrance Moore as to 31 Judgment. Filing fee of \$ 505, receipt number 0758-2209060 paid. Docketing Statement filed. (Attachments: # 1 Docketing Statement) (Pagel, Briane) Modified on 3/13/2018. (lak) (Entered: 03/13/2018)
03/13/2018	33	Appeal Information Packet. (lak) (Entered: 03/13/2018)