

**UNITED STATES DISTRICT COURT  
District of Maine**

<b>U.S. BANK NATIONAL ASSOCIATION</b>	)	
	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	
	)	
<b>GORDON T. JAMES,</b>	)	
	)	
<b>Defendant &amp; Third-</b>	)	
<b>Party Plaintiff</b>	)	
	)	
<b>v.</b>	)	<b>Civil No. 09-84-P-S</b>
	)	
<b>GMAC MORTGAGE, LLC, et al,</b>	)	
	)	
<b>Third-Party</b>	)	
<b>Defendants</b>	)	
	)	
<b>MAINE REVENUE SERVICES,</b>	)	
	)	
<b>Party-in-Interest</b>	)	

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

No objections having been filed to the Magistrate Judge's Recommended Decision (Docket No. 27) filed August 9, 2009, the Recommended Decision is **AFFIRMED**.

Accordingly, it is **ORDERED** (1) that the Motion to Strike (Docket No. 23) is **GRANTED**; and (2) that the Motion to Dismiss (Docket No. 15) is **GRANTED** as to third-party-defendant Wells Fargo, NA, and, as to Count II of the Counterclaim and Third-Party Complaint, in favor of Counterclaim Defendant and Plaintiff U.S. Bank National Association, and otherwise **DENIED**.

/s/George Z. Singal \_\_\_\_\_  
U.S. District Judge

Dated: August 26, 2009

**Plaintiff**

**US BANK NATIONAL  
ASSOCIATION AS TRUSTEE  
FOR BAFC2006-1**

represented by **ALEXANDER WILSON SAKSEN**  
DRUMMOND & DRUMMOND,  
LLP  
ONE MONUMENT WAY  
P. O. BOX 15216  
PORTLAND , ME 04101  
207-774-0317  
Email: asaksen@ddlaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**GORDON T JAMES**

represented by **ANDREA BOPP STARK**  
MOLLEUR LAW OFFICE  
419 ALFRED STREET  
BIDDEFORD , ME 04005  
207-283-3777  
Email: andrea@molleurlaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Interested Party**

**MAINE REVENUE SERVICES**

represented by **PETER MORRIS ROSENBERG**  
MAINE ATTORNEY GENERAL'S  
OFFICE  
SIX STATE HOUSE STATION  
AUGUSTA , ME 04333-0006  
(207) 626-8873  
Email: Peter.Rosenberg@maine.gov  
*ATTORNEY TO BE NOTICED*

**ThirdParty Plaintiff**

**GORDON T JAMES**

represented by **ANDREA BOPP STARK**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**ThirdParty Defendant**

**GMAC MORTGAGE LLC**

represented by **ALEXANDER WILSON SAKSEN**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**ThirdParty Defendant**

**WELLS FARGO NA**  
*TERMINATED: 08/26/2009*

represented by **ALEXANDER WILSON SAKSEN**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**ThirdParty Defendant**

**QUICKEN LOANS INC**

represented by **STEPHEN Y. HODSDON**  
HODSDON & CLIFFORD, LLC  
56 PORTLAND RD.  
KENNEBUNK , ME 04043  
985-6184  
Email: syh@kennebunklaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Counter Claimant**

**GORDON T JAMES**

represented by **ANDREA BOPP STARK**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant**

**US BANK NATIONAL  
ASSOCIATION AS TRUSTEE  
FOR BAFC2006-1**

represented by **ALEXANDER WILSON SAKSEN**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*