

**UNITED STATES DISTRICT COURT
District of Maine**

DONALD P. LARIVIERE, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil No. 09-515-P-S
)	
BANK OF NEW YORK AS TRUSTEE,)	
et al.,)	
Defendants.)	
)	

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

The United States Magistrate Judge filed with the Court on May 7, 2010, her Recommended Decision (Docket No. 30). Plaintiffs filed their Objection to the Recommended Decision (Docket No. 31) on May 21, 2010.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is hereby **ORDERED** that the Motion to Dismiss of Defendants Bank of New York, as Trustee, Litton Loan Servicing, L.P., and Mortgage Electronic Registration Systems, Inc. (Docket No. 21) is **GRANTED**.

3. It is hereby **ORDERED** that Plaintiffs' Complaint is **DISMISSED WITH PREJUDICE** in its entirety pursuant to Rule 12(b) of the Federal Rules of Civil Procedure.

/s/George Z. Singal

U.S. District Judge

Dated this 11th day of June, 2010.

Plaintiff

DONALD P LARIVIERE

represented by **DONALD P LARIVIERE**
3 DEVOTION AVENUE
SANFORD, ME 04073
PRO SE

Plaintiff

DORIS G LARIVIERE

represented by **DORIS G LARIVIERE**
3 DEVOTION AVENUE
SANFORD, ME 04073
PRO SE

V.

Defendant

**BANK OF NEW YORK AS
TRUSTEE**
TERMINATED: 06/11/2010

represented by **CHRISTOPHER A.D. HUNT**
PRINCE LOBEL GLOVSKY TYE
100 CAMBRIDGE STREET
BOSTON, MA 02114
617-456-8000
Email: chunt@princelobel.com
ATTORNEY TO BE NOTICED

Defendant

LITTON LOAN SERVICING LP
TERMINATED: 06/11/2010

represented by **CHRISTOPHER A.D. HUNT**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

BANK OF AMERICA
TERMINATED: 04/01/2010

represented by **PATRICK DAVID THORNTON**
MONAGHAN LEAHY, LLP
P. O. BOX 7046 DTS
PORTLAND, ME 04112-7046
207-774-3906
Email:
pthornton@monaghanleahy.com
ATTORNEY TO BE NOTICED

Defendant

**FIRST RESIDENTIAL
NETWORK**
TERMINATED: 01/05/2010

Defendant

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS INC**
TERMINATED: 06/11/2010

represented by **CHRISTOPHER A.D. HUNT**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

UNKNOWN INVESTORS
TERMINATED: 03/01/2010

Defendant

**FIRST RESIDENTIAL
MORTGAGE NETWORK INC**