

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re	:	CHAPTER 11
	:	(Jointly Administered)
<b>NEW CENTURY TRS HOLDINGS, INC.</b> ,	:	
<i>et al.</i>	:	Case No. 07-10416 (KJC)
Debtors	:	
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	:	
	:	
<b>GARY-FORREST: EDWARDS</b>	:	
(a/k/a Gary F. Edwards),	:	Adv. Pro. No. 08-50000 (KJC)
Plaintiff,	:	
	:	
v.	:	
	:	
<b>NEW CENTURY MORTGAGE CORP.,</b>	:	
<b>LASALLE BANK, N.A.</b>	:	
<b>CHASE HOME FINANCE, LLC</b>	:	
<b>CODILIS AND ASSOCIATES, P.C.</b>	:	
<b>RHONDA PEEK</b>	:	
<b>CIRCUIT COURT FOR THE 8<sup>TH</sup></b>	:	
<b>JUDICIAL CIRCUIT OF THE STATE of:</b>	:	
<b>ILLINOIS CIRCUIT CASE NO. 06CH37,</b>	:	
<b>including all orders, bonds and record of</b>	:	
<b>the case,</b>	:	
<b>WAYNE YOEELL,</b>	:	
<b>HENRY J. PAULSON, SECRETARY OF:</b>	:	
<b>THE TREASURY, UNITED STATES,</b>	:	
<b>MICHAEL B. MUKASEY, ATTORNEY :</b>	:	
<b>GENERAL, UNITED STATES, ALIEN :</b>	:	
<b>PROPERTY CUSTODIAN</b>	:	
	:	Re: docket nos. 7, 8, 9
Defendants	:	

**ORDER DISMISSING AMENDED COMPLAINT**

AND NOW, this 2<sup>nd</sup> day of February, 2010, upon consideration of:

- (i) Motion to Dismiss pursuant to Fed.R.Civ.P. 12(b)(1) and 12(b)(6) filed by Chase Home Finance, LLC (docket no. 7),
- (ii) Motion to Dismiss Adversary Complaint pursuant to Fed.R.Civ.P. 12(b)(1),

12(b)(3) and 12(b)(6) filed by defendants Codilis & Associates, P.C., Rhonda Peek, and Wayne Youell (docket no. 8),

- (iii) Motion (I) to dismiss amended adversary complaint for (A) lack of subject matter jurisdiction or (B) failure to State a Claim, or in the alternative, Motion for Summary Judgement and (II) Joinder in all applicable arguments in the Motion to Dismiss Amended Adversary Complaint filed by Codilis & Associates, P.C., Rhonda Peeks and Wayne Youell Sheriff of Mason County, Illinois and Chase Home Finance's Motion to Dismiss (docket no. 9) filed by New Century Mortgage Corporation,

(collectively, the "Motions to Dismiss"), and the plaintiff's responses thereto, and for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED and DECREED that the Motions to Dismiss are hereby GRANTED and the Amended Complaint is hereby DISMISSED.

BY THE COURT:



KEVIN J. CAREY  
UNITED STATES BANKRUPTCY JUDGE

cc: David W. Carickhoff, Esquire<sup>1</sup>

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<sup>1</sup>Counsel shall serve a copy of this Order and the accompanying Memorandum upon all interested parties and file a Certificate of Service with the Court.