Case 1:14-cv-00733-LY-ML Document 20 Filed 08/25/14 Page 1 of 2 IN THE UNITED STATES DISTRICT \mathscr{L} OURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION DAVID MCCRAE AND BARBARA MCCRAE, Plaintiff, v. CIVIL ACTION NO. 1:14-ev-00733 PHH MORTGAGE CORPORATION **Defendant** I AND A FEW OF YOUR FRIENDS PHH Mortgage Corporation, incorrectly named as PHH Mortgage, ("Defendant"), hereby files its response to David McCrae and Barbara McCrae (collectively "Plaintiffs")'s Motion for IRRELEVANO Alternative Dispute Resolution (the "Motion") (Doc. No. 19) and states: 1. At this time, Defendant is opposed to alternative dispute resolution. Plaintiffs are not licensed members of the State Bar of Lexas and therefore are prohibited to represent the interests of anyone other than themselves in a pro se capacity. Second, Plaintiffs' claims, while largely unintelligible, have no merit as indicated 2. in Defendant's Motion to Dismiss which is pending. Should the Court wish to compel the parties to alternative dispute resolution, Defendant respectfully submits such an order should occur after the Court has ruled upon Defendant's pending Motion to Dismiss. Third, given the Plaintiffs' demand for monetary relief in excess of \$100,000,000.00, an attempt at alternative dispute resolution would likely be unsuccessful. This ¹ The Motion at issue was electronically filed by Plainitff David McCrae only. On August 13, 2014 the Court entered an order allowing Mr. McCrae to file pleadings electronically but specifically limited that order to Mr. McCrae only and indicated that as a non-licensed attorney, he was prohibited from representing the interests of Barbara McCrae. See Doc. No. 8 at n. 1. STUSED TO IT!

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is especially true considering Plaintiffs concede the mortgage loan at issue has been paid in full and that Defendant has released any lienholder interest in Plaintiffs' property.

For these reasons, Defendant respectfully requests that the Court deny Plaintiffs' Motion

and for all other relief to which it may be entitled.

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Respectfully submitted,

By: /s/ S. David Smith

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I certify that on August 25, 2014, I filed the foregoing with the Clerk of the Court via the CM/ECF filing system who will send a copy of same to the following registered CM/ECF users:

David McCrae
Barbara McCrae
350 Cee Run
Bertram, Texas 78605
Plaintiffs Pro Se

I further certify that a true and correct copy of the foregoing was also served upon Plaintiffs *pro se* via U.S. Certified Mail, Return Request No. 7196 9008 9111 2892 6977, on August 25, 2014.

/s/ Nathan T. Anderson
Nathan T. Anderson

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IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

DAVID MCCRAE AND BARBARA MCCRAE, Plaintiff, v. PHH MORTGAGE Defendant	<pre> § § § § CIVIL ACTION NO. 1:14-ev-00733 § § § § § § § § § § § § § § § § § §</pre>
ORDER DENYING PLAINTIFFS' MOTION FOR ALTERNATIVE DISPUTE RESOLUTION	
On this day the Court considered Plaintiffs' Motion for Alternative Dispute Resoltuion	
(the "Motion") (Doc. No. 19). The Court, having considered the Motion and any responses	
thereto, finds as follows:	
Plaintiffs' Motion is not meritorious. It is, therefore,	
ORDERED, ADJUDGED, and	DECREED that Plaintiffs' Motion for Alternative
Dispute Resolution is DENIED.	
SIGNED THIS DAY OF	, 2014.

JUDGE PRESIDING