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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LAURA ZAMORA JORDAN, as her
separate estate, and on behalf of others
similarly situated,

Plaintiff,

v.

NATIONSTAR MORTGAGE, LLC, a
Delaware limited liability company,

Defendant.

NO: 2:14-CV-0175-TOR

ORDER GRANTING IN PART
NATIONSTAR'S MOTION FOR
PARTIAL SUMMARY JUDGMENT

BEFORE THE COURT is Nationstar's Motion for Partial Summary
Judgment (ECF No. 45). This matter, among others, was heard with oral argument
on July 30, 2015. Clay M. Gatens appeared on behalf of Plaintiff and others
similarly situated. Jan T. Chilton and John A. Knox appeared on behalf of
Defendant.

1 Nationstar moves for summary judgment on Plaintiff's individual Fair Debt
2 Collection Practices Act ("FDCPA") claim. ECF No. 45 at 23-24.

3 Plaintiff concedes, in light of Nationstar's representation that it obtained
4 Plaintiff's loan prior to default, that summary judgment should be entered on this
5 claim. ECF No. 57 at 19; *see De Dios v. Int'l Realty & Invs.*, 641 F.3d 1071, 1074
6 (9th Cir. 2011) (explaining that "debt collector" under the FDCPA excludes "any
7 person collecting or attempting to collect any debt owed or due . . . to the extent
8 such activity . . . concerns a debt which was not in default *at the time it was*
9 *obtained* by such person") (emphasis in original).

10 Accordingly, Nationstar's Motion for Partial Summary Judgment (ECF No.
11 45) is **GRANTED in part**. Plaintiff's individual FDCPA claim is **DISMISSED**.
12 **ACCORDINGLY, IT IS ORDERED:**

13 Nationstar's Motion for Partial Summary Judgment (ECF No. 45) is
14 **GRANTED in part**. Plaintiff's individual FDCPA claim is **DISMISSED**.

15 The District Court Executive is directed to enter this Order and provide
16 copies to counsel.

17 **DATED** August 10, 2015



Thomas O. Rice
THOMAS O. RICE
United States District Judge