

**ENTERED**

November 07, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**HOMETRADER, L.L.C.,**

*Plaintiff,*

**VS.**

**U.S. BANK, N.A.,**

*Defendant.*

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**CIVIL ACTION NO. 4:23-CV-1420**

**ORDER GRANTING MOTION TO DISMISS**

On June 13, 2023 Defendant U.S. Bank National Association not in its individual capacity but solely as Trustee for RMTP Trust, Series 2021 BKM-TT-V (“Defendant”) filed a Motion to Dismiss (“Motion”). (ECF No. 8.) The Court set a hearing on the Motion for November 7, 2023. On November 6, Plaintiff Hometrader, L.L.C. (“Plaintiff”) filed a Sur-Reply stating that “it is readily apparent that Defendant’s Amended Motion to Dismiss is well reasoned and should be granted.” (ECF No. 22 at ¶ 1.) Plaintiff requested “that the Court enter an order granting Defendant’s Amended Motion to Dismiss without the necessity of an oral hearing.” (*Id.* at ¶ 3.)

Accordingly, the Court **GRANTS** Defendant’s Motion (ECF No. 8). Plaintiff’s claims are hereby **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.**

**SIGNED** at Houston, Texas, on this the 6th day of November, 2023.



**KEITH P. ELLISON**  
**UNITED STATES DISTRICT JUDGE**