

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ANTHONY BELL

Plaintiff,

v.

PHH MORTGAGE CORPORATION, ET
AL.

Defendant.

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Civil Action No.: 4:23-cv-01635

DEFENDANT’S RESPONSE TO PLAINTIFF’S MOTION TO STAY

Defendant PHH Mortgage Corporation (“PHH MC”), by and through its attorneys, files this Response to Plaintiff’s Motion to Stay and respectfully submits to the Court as follows:

1. On June 2, 2023, Plaintiff Anthony Bell filed a Motion to Stay the proceedings on the basis that there was a pending loan modification application. PHH MC is opposed to the motion.

2. While the parties have started an ancillary discussion about a loan modification, an agreement has not been reached at this time. Further, there is no agreement between the parties to stay the case pending settlement negotiations. Should the parties reach a settlement or settlement is imminent, the parties will notify the Court immediately. However, no settlement is imminent at this time. Plaintiff chose to file this litigation and should be required to address the arguments stated in PHH MC’s Motion to Dismiss (Docket No. 7). Plaintiff should voluntarily dismiss this case should he no longer wish to pursue the litigation.

3. For the foregoing reasons, a stay would not be inappropriate in this case.

WHEREFORE, Defendant PHH MC respectfully requests this Court enter an order denying Plaintiff’s Motion to Stay.

Respectfully submitted,

Dykema Gossett PLLC

/s/ Adam Nunnallee

Adam Nunnallee

State Bar No. 2405743

SD 1287826

anunnallee@dykema.com

Comerica Bank Tower

1717 Main Street, Suite 4200

Dallas, Texas 75201

Telephone: (214) 462-6453

Facsimile: (855) 256-1482

-and-

Stephanie Sepulveda

State Bar No. 24106418

SD 3630278

ssepulveda@dykema.com

5 Houston Center

1401 McKinney Street, Suite 1625

Houston, Texas 77010

Tel.: (713) 904-6900

Fax: (866) 680-0674

**ATTORNEYS FOR DEFENDANT
PHH MORTGAGE CORPORATION**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on June 15, 2023 in compliance with the Federal Rules of Civil Procedure.

Anthony Bell
4906 Winding Timbers Circle
Humble, TX 77346
aa.bell2@icloud.com

/s/ Stephanie Sepulveda
Stephanie Sepulveda, Counsel for Defendant