

CAUSE NO. 2021-66183

**DEUTSCHE BANK TRUST COMPANY  
AMERICAS, AS TRUSTEE FOR  
RESIDENTIAL ACCREDIT LOANS,  
INC., MORTGAGE ASSET-BACKED  
PASS-THROUGH CERTIFICATES,  
SERIES 2003-QS12 AND PHH  
MORTGAGE CORPORATION DOING  
BUSINESS AS PHH MORTGAGE  
SERVICES, INC., SUCCESSOR BY  
MERGER TO OCWEN LOAN  
SERVICING, LLC,**

**Petitioners,**

**vs.**

**RICHARD D. RODE,**

**Respondent.**

**IN THE DISTRICT COURT OF**

**HARRIS COUNTY, TEXAS**

**295TH JUDICIAL DISTRICT**

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**JOINT MOTION TO DISMISS WITH PREJUDICE**

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COME NOW Richard D. Rode ("Mr. Rode"), Deutsche Bank Trust Company Americas, as Trustee for Residential Accredited Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2003-QS12 ("Trustee"), and PHH Mortgage Corporation Doing Business As PHH Mortgage Services, Inc., Successor by Merger to Ocwen Loan Servicing, LLC ("PHH") (Trustee and PHH collectively, the "PHH Parties") **and collectively as the Parties hereto, so designated,** file this Joint Motion to Dismiss with Prejudice (the "Motion").

The claims in the lawsuit between Mr. Rode and the PHH Parties have been settled in their entirety. Accordingly, Mr. Rode and the PHH Parties hereby request that the Court enter the attached Agreed Order of Dismissal with Prejudice, dismissing with prejudice all claims that **the Parties** asserted or could have asserted against **each other and one another in this lawsuit. The**

Parties further request that all taxable costs, expenses, and attorney fees are taxed against the party incurring same.

WHEREFORE, PREMISES CONSIDERED, Mr. Rode and the PHH Parties respectfully request that the Court grant their Motion, dismiss with prejudice all claims that **they each** asserted or could have asserted against **each other and one another** in this lawsuit, enter the Agreed Order of Dismissal with Prejudice submitted herewith, and order that all taxable costs, expenses, and attorney fees be borne by the party incurring same.

Respectfully submitted,

LAW OFFICES OF MICHAEL A. HIRSCH, P.C.

By: \_\_\_\_\_

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**ATTORNEYS FOR DEUTSCHE BANK TRUST  
COMPANY AMERICAS, AS TRUSTEE FOR  
RESIDENTIAL ACCREDIT LOANS, INC.,  
MORTGAGE ASSET-BACKED PASS-  
THROUGH CERTIFICATES, SERIES 2003-QS12  
AND PHH MORTGAGE CORPORATION  
DOING BUSINESS AS PHH MORTGAGE  
SERVICES, INC., SUCCESSOR BY MERGER TO  
OCWEN LOAN SERVICING, LLC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served upon all counsel of record via the Court's electronic filing system pursuant to the Texas Rules of Civil Procedure on this 13th day of May 2024.

/s/ Jason L. Sanders

Counsel for the PHH Parties

### Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Gena Taylor on behalf of Jason Sanders

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