

# **EXHIBIT 1**

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Houston)  
CIVIL DOCKET FOR CASE #: 4:12-cv-00002**

Tielke et al v. Bank of America, N.A., successor to BAC Home  
Loans Servicing, LP  
Assigned to: Judge Melinda Harmon  
Cause: 28:1332 Diversity-Notice of Removal

Date Filed: 01/03/2012  
Date Terminated: 02/12/2015  
Jury Demand: None  
Nature of Suit: 290 Real Property: Other  
Jurisdiction: Diversity

**Plaintiff**

**Timothy Tielke**

represented by **Lu Ann Trevino**  
The Trevino Law Firm  
13201 Northwest Freeway  
Suite 800  
Houston, TX 77040  
713-341-7550  
Fax: 888-896-2102  
Email: latrevino@trevino-law.com  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Melissa Ann Tielke**

represented by **Lu Ann Trevino**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Bank of America, N.A., successor to BAC  
Home Loans Servicing, LP**

represented by **Raymond A Chenault**  
McGlinchey Stafford  
1001 McKinney Street  
Ste 1500  
Houston, TX 77002  
713-335-2148  
Fax: 713-520-1025  
Email: rchenault@mcglinchey.com  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01 03/2012	<u>1</u>	NOTICE OF REMOVAL from 334th Judicial District Court of Harris County, Texas, case number 2011-72293 (Filing fee \$ 350 receipt number 0541-9065667) filed by Bank of America, N.A., successor to BAC Home Loans Servicing, LP. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet, # <u>3</u> Civil Cover Sheet Attachment)(Chenault, Raymond) (Entered: 01/03/2012)
01 03/2012	<u>2</u>	CORPORATE DISCLOSURE STATEMENT by Bank of America, N.A., successor to BAC Home Loans Servicing, LP identifying Bank of America Corporation as Corporate

Parent, filed.(Chenault, Raymond) (Entered: 01/03/2012)

- 01/06/2012 3 SUPPLEMENT to 1 Notice of Removal, by Bank of America, N.A., successor to BAC Home Loans Servicing, LP, filed.(Chenault, Raymond) (Entered: 01/06/2012)
- 01/06/2012 4 ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 5/3/2012 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy.(Signed by Judge Melinda Harmon) Parties notified. (aboyd) (Entered: 01/06/2012)
- 01/06/2012 5 MOTION to Dismiss by Bank of America, N.A., successor to BAC Home Loans Servicing, LP, filed. Motion Docket Date 1/27/2012. (Attachments: # 1 Proposed Order) (Chenault, Raymond) (Entered: 01/06/2012)
- 01/20/2012 6 CERTIFICATE OF INTERESTED PARTIES by Melissa Ann Tielke, Timothy Tielke, filed.(Trevino, Lu) (Entered: 01/20/2012)
- 01/26/2012 7 First AMENDED Complaint against All Defendants filed by Timothy Tielke, Melissa Ann Tielke.(Trevino, Lu) (Entered: 01/26/2012)
- 01/26/2012 8 RESPONSE in Opposition to 5 MOTION to Dismiss, filed by Melissa Ann Tielke, Timothy Tielke. (Attachments: # 1 Proposed Order)(Trevino, Lu) (Entered: 01/26/2012)
- 01/30/2012 9 Agreed MOTION for Extension of Time Bank of America's Responsive Pleading by Bank of America, N.A., successor to BAC Home Loans Servicing, LP, Melissa Ann Tielke, Timothy Tielke, filed. Motion Docket Date 2/21/2012. (Attachments: # 1 Proposed Order) (Chenault, Raymond) (Entered: 01/30/2012)
- 02/01/2012 10 ORDER granting 9 Motion for Extension of Time. Responses to 5 Mtn to Dismiss due by 3/12/2012.(Signed by Judge Melinda Harmon) Parties notified.(htippen, ) (Entered: 02/01/2012)
- 04/19/2012 11 ANSWER to Complaint by Bank of America, N.A., successor to BAC Home Loans Servicing, LP, filed. (Attachments: # 1 Exhibit A)(Chenault, Raymond) (Entered: 04/19/2012)
- 04/23/2012 12 JOINT DISCOVERY/CASE MANAGEMENT PLAN by Bank of America, N.A., successor to BAC Home Loans Servicing, LP, Melissa Ann Tielke, Timothy Tielke, filed. (Chenault, Raymond) (Entered: 04/23/2012)
- 05/03/2012 Minute Entry for proceedings held before Magistrate Judge Frances H Stacy. SCHEDULING CONFERENCE held on 5/3/2012; entry # 5 is ripe for ruling ; docket control order to follow. Appearances: Lu Ann Trevino.(Court Reporter: ERO)(Digital # 10:26 - 10:30)(ERO:P Crawford). filed.(bwhite, ) (Entered: 05/03/2012)
- 05/03/2012 13 SCHEDULING ORDER. Amended Pleadings due by 9/4/2012. Joinder of Parties due by 9/4/2012 Pltf Expert Witness List due by 11/19/2012. Pltf Expert Report due by 11/19/2012 Deft Expert Witness List due by 1/9/2013. Deft Expert Report due by 1/9/2013 Discovery due by 3/29/2013. Dispositive Motion Filing due by 5/6/2013. Non-Dispositive Motion Filing due by 5/6/2013. Joint Pretrial Order due by 8/26/2013. Docket Call set for 9/6/2013 at 01:30 PM before Judge Melinda Harmon Trial Term by 9/9/2013.(Signed by Judge Melinda Harmon) Parties notified.(bwhite, ) (Entered: 05/03/2012)
- 12/21/2012 14 MOTION for Summary Judgment by Bank of America, N.A., successor to BAC Home Loans Servicing, LP, filed. Motion Docket Date 1/11/2013. (Attachments: # 1 Exhibit A, # 2 Exhibit A1, # 3 Exhibit A2 part 1, # 4 Exhibit A2 part 2, # 5 Exhibit A3 part 1, # 6 Exhibit A3 part 2, # 7 Exhibit A4, # 8 Exhibit A5 part 1, # 9 Exhibit A5 part 2, # 10 Exhibit A5 part 3, # 11 Exhibit A5 part 4, # 12 Exhibit B, # 13 Exhibit B1, # 14 Exhibit

B2, # 15 Exhibit B3, # 16 Exhibit B4, # 17 Exhibit B5, # 18 Exhibit B6, # 19 Exhibit B7, # 20 Exhibit B8, # 21 Proposed Order)(Chenault, Raymond) (Entered: 12/21/2012)

- 01/11/2013 15 RESPONSE in Opposition to 14 MOTION for Summary Judgment, filed by Melissa Ann Tielke, Timothy Tielke. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Proposed Order)(Trevino, Lu) (Entered: 01/11/2013)
- 01/18/2013 16 REPLY to Response to 14 MOTION for Summary Judgment, filed by Bank of America, N.A., successor to BAC Home Loans Servicing, LP. (Attachments: # 1 Exhibit C, # 2 Exhibit C1, # 3 Exhibit C2, # 4 Errata D)(Chenault, Raymond) (Entered: 01/18/2013)
- 07/12/2013 17 OPINION and ORDER Granting 14 MOTION for Summary Judgment (Signed by Judge Melinda Harmon) Parties notified.(rvazquez) (Entered: 07/15/2013)
- 07/12/2013 18 FINAL JUDGMENT. Case terminated on July 12, 2013(Signed by Judge Melinda Harmon) Parties notified.(rvazquez) (Entered: 07/15/2013)
- 07/31/2013 19 NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit re: 18 Final Judgment, 17 Memorandum and Opinion by Melissa Ann Tielke, Timothy Tielke (Filing fee \$ 455, receipt number 0541-11801205), filed.(Trevino, Lu) (Entered: 07/31/2013)
- 08/01/2013 20 Notice of the Filing of an Appeal. DKT13 transcript order form attached to appellant (1 copies)to be returned. Fee status: Paid. The following Notice of Appeal and related motions are pending in the District Court: 19 Notice of Appeal, filed.(blacy, ) (Entered: 08/01/2013)
- 08/02/2013 Notice of Assignment of USCA No. 13-20425 re: 19 Notice of Appeal, filed.(hler, ) (Entered: 08/02/2013)
- 08/13/2013 21 DKT-13 TRANSCRIPT ORDER FORM by Lu Ann Trevino. No hearings. This order form relates to the following: 19 Notice of Appeal, filed.(vcantu) (Entered: 08/13/2013)
- 09/03/2013 EROA submitted and certified to the Fifth Circuit Court of Appeals re: 19 Notice of Appeal. (USCA No. 13-20425), filed.(blacy, 4) (Entered: 09/03/2013)
- 09/11/2013 22 REQUEST for Electronic Copy of Certified Record on Appeal re: 19 Notice of Appeal by Bank of America, N.A., successor to BAC Home Loans Servicing, LP, filed.(Chenault, Raymond) (Entered: 09/11/2013)
- 09/24/2013 Certified electronic record on appeal forwarded to Raymond A. Chenault via USPS re: 22 re: 19 Notice of Appeal. (USCA No. 13-20425), filed.(jdav, 4) (Entered: 09/24/2013)
- 09/27/2013 23 REQUEST for Electronic Copy of Certified Record on Appeal re: 19 Notice of Appeal by Melissa Ann Tielke, Timothy Tielke, filed.(Trevino, Lu) (Entered: 09/27/2013)
- 10/08/2013 24 \*\*\* This entry is a duplicate of document #23\*\*\* REQUEST for Electronic Copy of Certified Record on Appeal re: 19 Notice of Appeal by Melissa Ann Tielke, Timothy Tielke, filed.(avleal, 1) Modified on 10/8/2013 (avleal, 1). (Entered: 10/08/2013)
- 07/31/2014 Transmittal Remark: Appeal Certified re: 19 Notice of Appeal. A paper copy of the electronic record is being transmitted to the Fifth Circuit Court of Appeals in 1 volumes. (UPS Tracking No.1Z7262750349336885) (USCA No. 13-20425), filed.(blacy, 4) (Entered: 07/31/2014)
- 10/02/2014 25 JUDGMENT of USCA; judgment issued as mandate 9/26/14; USCA No. 13-20425. District Court is reversed, and the cause is remanded to the District court for further proceedings, filed.(dgonzalez, 5) (Entered: 10/02/2014)
- 10/02/2014 26 Per Curiam of USCA; USCA No. 13-20425. Reversed and Remanded, filed.(dgonzalez, 5)

(Entered: 10/02/2014)

- 10/02/2014 27 Fifth Circuit Court of Appeals LETTER advising copy of judgment as the mandate (USCA No. 13-20425), filed.(dgonzalez, 5) (Entered: 10/02/2014)
- 10/08/2014 28 NOTICE of Setting. Parties notified. Initial Conference set for 11/6/2014 at 10:00 AM in Courtroom 704 before Magistrate Judge Frances H Stacy, filed. (bwhite, 4) (Entered: 10/08/2014)
- 11/06/2014 Minute Entry for proceedings held before Magistrate Judge Frances H Stacy. SCHEDULING CONFERENCE held on 11/6/2014; docket control Order to follow. Appearances: Raymond A Chenault, Lu Ann Trevino.(Court Reporter: ERO)(Digital # 10:26 - 10:29)(ERO:P Crawford), filed.(bwhite, 4) (Entered: 11/06/2014)
- 11/06/2014 29 SCHEDULING ORDER. Amended Pleadings due by 4/20/2015. Joinder of Parties due by 4/20/2015 Pltf Expert Witness List due by 6/1/2015. Pltf Expert Report due by 6/1/2015. Deft Expert Witness List due by 7/31/2015. Deft Expert Report due by 7/31/2015. Discovery due by 9/10/2015. Dispositive Motion Filing due by 11/9/2015. Non-Dispositive Motion Filing due by 11/9/2015. Joint Pretrial Order due by 1/25/2016. Docket Call set for 2/5/2016 at 01:30 PM before Judge Melinda Harmon. Trial Term by 2/8/2016(Signed by Judge Melinda Harmon) Parties notified.(bwhite, 4) (Entered: 11/06/2014)
- 12/22/2014 30 Joint MOTION to Dismiss *with Prejudice and for Entry of Agreed Order of Dismissal with Prejudice* by Bank of America, N.A., successor to BAC Home Loans Servicing, LP, filed. Motion Docket Date 1/12/2015. (Attachments: # 1 Proposed Order)(Chenault, Raymond) (Entered: 12/22/2014)
- 02/12/2015 31 AGREED ORDER OF DISMISSAL granting 30 Joint MOTION to Dismiss *with Prejudice and for Entry of Agreed Order of Dismissal with Prejudice*. Case terminated on 2/12/2015(Signed by Judge Melinda Harmon) Parties notified.(rhawkins, 4) (Entered: 02/13/2015)

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