

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

**WAYNE FRANKS,**

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**Plaintiff,**

**v.**

**Civil Action No. 4:24-cv-03285**

**THE BANK OF NEW YORK MELLON  
TRUST COMPANY, NATIONAL  
ASSOCIATION FKA THE BANK OF  
NEW YORK TRUST COMPANY, N.A. AS  
SUCCESSOR TO JPMORGAN CHASE  
BANK, N.A., AS TRUSTEE FOR  
RESIDENTIAL ASSET MORTGAGE  
PRODUCTS, INC., MORTGAGE ASSET  
BACKED PASS-THROUGH  
CERTIFICATES SERIES 2005-RP2,**

**Defendant.**

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

Plaintiff Wayne Franks (“Plaintiff”) and Defendant The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, N.A., as Trustee for Residential Asset Mortgage Products, Inc., Mortgage Asset-Backed Pass-Through Certificates Series 2005-RP2 (“Defendant”) file this Joint Stipulation of Dismissal with Prejudice (“Stipulation”). Plaintiff and Defendant, by and through their undersigned counsel, hereby stipulate and agree that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), all claims and causes of action asserted, or that could have been asserted, by

Plaintiff against Defendant are hereby dismissed with **prejudice**. This Stipulation is meant to address all claims Plaintiff has brought against Defendant in this lawsuit.

WHEREFORE, PREMISES CONSIDERED, Plaintiff and Defendant jointly request that the Court enter the attached Order of Dismissal with Prejudice dismissing all claims and causes of action asserted, or that could have been asserted, by Plaintiff against Defendant with **prejudice**. Plaintiff and Defendant additionally request that all taxable costs, expenses, and attorneys' fees be borne by the party incurring same.

Date: December 3, 2024.

Respectfully submitted,

*/s/ Taneska L. Jones*

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**COUNSEL FOR DEFENDANT**

**-AND-**

*/s/ James Minerve*

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**COUNSEL FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

The undersigned certifies that on December 3, 2024, a true and correct copy of the foregoing document was delivered to the following *via ECF* consistent with the Federal Rules of Civil Procedure:

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*Attorney for Plaintiff*

*/s/ Taneska L. Jones*

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Counsel for Defendant