

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Larry D. Jesinoski  
and Cheryle Jesinoski,

Plaintiffs,

Court File No. 11-CV-474 DWF/FLN

v.

COUNTRYWIDE HOME LOANS, INC.,  
d/b/a AMERICA'S WHOLESALE  
LENDER, a subsidiary of Bank of America  
N.A., BAC HOME LOANS SERVICING,  
LP, a subsidiary of Bank of America, N. A.,  
A Texas Limited Partnership F/K/A  
COUNTRYWIDE HOME LOANS  
SERVICING, LP, MORTGAGE  
ELECTRONIC REGISTRATION  
SYSTEMS, INC., A Delaware Corp., JOHN  
& JANE DOES 1-10,

Defendants.

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**NOTICE OF MOTION**

TO: Larry D. Jesinoski and Cheryle Jesinoski, by and through their attorney,  
Michael J. Keogh, Esq., P.O. Box 11297, St. Paul, MN 55104

**PLEASE TAKE NOTICE** that on February 17, 2012, at 9:00 a.m., before the Honorable Donovan W. Frank, United States District Judge for the District of Minnesota, in the Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, Courtroom 7C, St. Paul, MN 55101, Defendants Bank of America, N.A. (s/h/a "Countrywide Home Loans, Inc." and "BAC Home Loans Servicing") ("BANA") and Mortgage Electronic Registrations Systems, Inc. ("MERS") (collectively, "Defendants") will move the Court for an Order pursuant to Fed. R. Civ. P. 12(c) for Judgment on the

Pleadings with respect to the claims in the Amended Complaint of Plaintiffs Larry D. and Cheryle Jesinoski ("Plaintiffs") for rescission based on alleged violations of the Truth in Lending Act and damages based on the alleged violation of state law.

Dated: October 28, 2011

s/Andre Hanson

Ronn B. Kreps (#0151142)

Andre Hanson (#0258234)

Leaf Dilts McGregor (#0389140)

**Fulbright & Jaworski L.L.P.**

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and Mortgage Electronic Registration Systems,  
Inc.*