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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

FILED

03 MAY 19 AM 10:50

U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

WILLIAM D. CAMPBELL,	)	Case No. 94-14704
	)	
Debtor.	)	Chapter 13
_____	)	
	)	Judge Pat E. Morgenstern-Clarren
	)	
WILLIAM D. CAMPBELL,	)	Adversary Proceeding No. 03-1012
	)	
Plaintiff,	)	
	)	
v.	)	<b><u>MEMORANDUM OF OPINION</u></b>
	)	<b><u>REGARDING MOTIONS</u></b>
	)	<b><u>TO DISMISS</u></b>
	)	
ROBERT B. WELTMAN, et al.,	)	
	)	
Defendants.	)	

William Campbell filed this multi-defendant complaint in the United States District Court, which referred the case to this Court as related to Mr. Campbell's then-closed bankruptcy case. (Docket 24). Mr. Campbell is not an attorney. Although he was represented by three different counsel when his Chapter 13 case was active, he is now representing himself.

These defendants filed motions to dismiss the complaint:

Saul Eisen (U.S. Trustee for Region 9), Joseph Guzinski (Office of the U.S. Trustee), and Emily Sweeney (U.S. Attorney for the Northern District of Ohio), jointly;

Jonathan Marshall (Secretary of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio) and Janet Green Marbley (Administrator of the Supreme Court of Ohio's Client Security Fund), jointly;

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Myron Wasserman (former Chapter 13 Trustee for the Northern District of Ohio, at Cleveland);

Craig Shopneck (current Chapter 13 Trustee for the Northern District of Ohio, at Cleveland);

Mortgage Placement Services, Inc.;

Craig Syby; and

Tower City Title Agency, LLC.

(Docket 6, 17, 26, 28, 36, 37, 47, 50). The parties agreed to a briefing schedule for these motions. (Docket 46). At the close of that briefing period, Mr. Campbell only opposed the motion filed by Mr. Syby. (Docket 55).

**DISCUSSION**

**I. The Complaint**

According to Mr. Campbell's complaint, "he signed for a[n] 'Accounts Receivable' business loan from First Bank National Association for Ten Thousand Dollars . . ." in July 1977. He claims that attorney Robert Weltman and the law firm of Weltman, Weinberg & Reis (representing Cadle Co., the assignee of First Bank), attempted to collect this debt after it was paid in full in December 1977. Mr. Campbell also makes statements related to his 1994 Chapter 13 bankruptcy case. He alleges that he filed the case to save his home from being sold at foreclosure, made payments under his Chapter 13 plan to Cadle Co. over the years, and obtained a discharge in June 1999. Mr. Campbell further states that he applied for a bill consolidation loan through Mortgage Placement Services, Inc. but the loan did not close because Robert Weltman provided documents indicating that Mr. Campbell still owed money to Cadle Co. Mr.

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Campbell also alleges that Robert Weltman gave documents to Craig Syby of Tower City Title Agency, LLC (Tower City Title) in 2001 which stopped other loans from closing and that Weltman, Weinberg & Reis made another payment demand in August 2002. This conduct is alleged to have violated the Bankruptcy Code.

For relief, Mr. Campbell asks (1) that he be “free[d] . . . from any future obligations of this alleged debt;” and (1) for judgment against Robert Weltman and Weltman, Weinberg & Reis for “humiliation, hurt and pain, suffering and financial loss . . .” in the amount of \$5 million compensatory and \$10 million punitive damages. He also asks to be served with all documents under certain Bankruptcy Rules.

## **II. The Motions to Dismiss the Complaint**

Several defendants have moved to dismiss the complaint. Because Mr. Campbell is not an attorney, his pleadings are held to a less stringent standard than pleadings drafted by an attorney. *See Pilgrim v. Littlefield*, 92 F.3d 413, 416 (6th Cir. 1996) (citing *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)). This leniency has limits, however, as “pro se plaintiffs are not automatically entitled to take every case to trial.” *Id. See also, Herron v. Harrison*, 203 F.3d 410, 414 (6th Cir. 2000).

### **A. Defendants Jonathan Marshall and Janet Green Marbley: Motion to Dismiss for Lack of Subject Matter Jurisdiction and Failure to State a Claim**

Defendants Jonathan Marshall, Secretary of the Board of Commissioners on Grievances and Discipline of the Supreme Court of Ohio, and Janet Green Marbley, Administrator of the Supreme Court of Ohio’s Client Security Fund, jointly move to dismiss the complaint for lack of subject matter jurisdiction and failure to state a claim. (Docket 6). *See* FED. R. CIV. P. 12(b)(1)

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and (6) (made applicable by FED. R. BANKR. P. 7012(b)). The jurisdictional issue must be resolved first. *Moir v. Greater Cleveland Reg'l Transit Auth.*, 895 F.2d 266, 269 (6th Cir. 1990) (citing *Bell v. Hood*, 327 U.S. 678, 682 (1946) and noting that a court must determine if it has jurisdiction before addressing the sufficiency of a plaintiff's claims under Rule 12(b)(6)). When subject matter jurisdiction is disputed, the plaintiff "has the burden of proving jurisdiction in order to survive the motion." *Id.* (citing *Rogers v. Stratton Indus., Inc.*, 798 F.2d 913, 915 (6th Cir. 1986)).

Mr. Marshall and Ms. Marbley argue that this Court lacks subject matter jurisdiction based on sovereign immunity and civil immunity. They contend they are state employees who are entitled to immunity, except in circumstances not relevant here, and in any event that claims against them must be heard in the Ohio Court of Claims. This is a factual challenge to subject matter jurisdiction. *See Ohio Nat'l Life Ins. Co. v. United States*, 922 F.2d 320, 325 (6th Cir. 1990) (discussing the distinction between facial challenges to subject matter jurisdiction which question the sufficiency of the complaint and factual challenges which address a court's power to hear a case). In addressing a factual challenge to subject matter jurisdiction, a court may consider affidavits, documents, and limited evidence to resolve disputed jurisdictional facts. *Id.*

The distinction between a factual and a facial challenge to jurisdiction is blurred in this case because the complaint does not make any allegations at all about these defendants. Other than naming Mr. Marshall and Ms. Marbley as defendants, the complaint does not: (1) aver any facts which relate to them; (2) state any cause of action against them; or (3) request any form of relief as to them. The complaint is also deficient because it does not include the required statement of the grounds supporting jurisdiction. *See* FED. R. CIV. P. 8(a)(1) (made applicable as

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modified by FED. R. BANKR. P. 7008(a)). Mr. Campbell did not file any opposition to this motion despite the opportunity to do so. He has, therefore, failed to meet his burden of proving subject matter jurisdiction when challenged by these defendants. In reaching this conclusion, the Court also reviewed the pretrial statement filed by Mr. Campbell. (Docket 38). The statement does not mention these defendants and so it does not save the complaint from the jurisdictional attack. The motion to dismiss for lack of subject matter jurisdiction is granted. As a result, the Court need not reach the alternative ground for dismissal urged by these defendants.

**B. Defendants Saul Eisen, Joseph Guzinski, Emily Sweeney, Myron Wasserman, Craig Shopneck, and Mortgage Placement Services, Inc: Motions to Dismiss for Failure to State a Claim**

These defendants move to dismiss under Federal Rule of Civil Procedure 12(b)(6) based on Mr. Campbell's failure to state claims against them: Saul Eisen, Joseph Guzinski, Emily Sweeney, Myron Wasserman, Craig Shopneck, and Mortgage Placement Services, Inc. *See* FED. R. CIV. P. 12(b)(6) (made applicable by FED. R. BANKR. P. 7012(b)). (Docket 26, 36, 37, 47). Mr. Campbell did not file anything in opposition.

Under Federal Rule 8, a complaint must contain “a short and plain statement of the claim showing that the pleader is entitled to relief, and . . . a demand for judgment for the relief the pleader seeks.” FED. R. CIV. P. 8(a)(2) and (3) (made applicable by FED. R. BANKR. P. 7008(a)). A defendant may move to dismiss a complaint that fails “to state a claim upon which relief can be granted[.]” FED. R. CIV. P. 12(b)(6) (made applicable by FED. R. BANKR. P. 7012(b)). When considering Rule 12(b)(6) motions, this Court must:

construe the complaint in the light most favorable to the plaintiff, accept all well-pleaded factual allegations as true, and determine whether the [plaintiff] can prove no set of facts in support of his claims that would entitle him to relief. *Nieman v. NLO*, 108 F.3d 1546, 1548 (6th Cir. 1997). Dismissal of the complaint is proper

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“only if it is clear that no relief could be granted under any set of facts that could be proved consistent with the allegations.” *Hishon v. King & Spalding*, 467 U.S. 69, 73, 104 S. Ct. 2229, 81 L. Ed.2d 59 (1984).

*Trzebuckowski v. City of Cleveland*, 319 F.3d 853, 855 (6th Cir. 2003). “When an allegation is capable of more than one inference, it must be construed in the plaintiff’s favor.” *Bloch v. Ribar*, 156 F.3d 673, 677 (6th Cir. 1998). If a party submits material outside of the pleadings on a motion to dismiss, a court may either (1) treat the motion as one for summary judgment under Rule 56 if the outside material is properly considered; or (2) resolve it as a motion to dismiss if the material is not properly considered. *See* FED. R. CIV. P. 12(b) and 56 (the latter made applicable by FED. R. BANKR. P. 7056). To be considered, the material must meet the evidentiary standard set in Rule 56(e), which generally requires affidavits, sworn or certified copies of documents, depositions, and/or interrogatory answers. *See, for example, Moore v. Holbrook*, 2 F.3d 697, 699 (6th Cir. 1993) (noting that documents submitted on a request for summary judgment must satisfy Rule 56(e)).

1.

In this case, Saul Eisen, Joseph Guzinski, and Emily Sweeney are merely named as defendants in the complaint. Mr. Campbell has not made any allegations or claim to relief as to them. He did not oppose this motion to dismiss. The motion states good cause and is granted.

2.

Mr. Campbell also fails to state a claim as to Myron Wasserman and Craig Shopneck. The complaint names “Myron Wasserman, Trustee” as a defendant. Mr. Wasserman is the former Chapter 13 trustee for the Northern District of Ohio, at Cleveland, who is now retired from that position. He has been succeeded by Craig Shopneck. Both Mr. Wasserman and Mr.

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Shopneck have moved to dismiss the complaint.<sup>1</sup> Mr. Campbell did not file anything in opposition.

The complaint makes cursory references to Mr. Campbell's Chapter 13 case, stating essentially that Mr. Campbell filed a Chapter 13 case, his Chapter 13 plan included payments to Cadle Co., and he obtained a discharge. Mr. Campbell's factual allegations regarding his Chapter 13 case do not include any allegation of wrongdoing by the Chapter 13 trustee (past, present, individually or in a representative capacity) or any claim that would entitle him to relief against Messrs. Wasserman or Shopneck, either individually or in a representative capacity. Their motions to dismiss are granted.

3.

Mortgage Placement Services, Inc. is also entitled to have the complaint against it dismissed. The only references to this defendant are found in paragraphs 12 and 13 of the complaint which state that Mr. Campbell "applied for a bill consolidation loan through Mortgage Placement Service[s], Inc." to pay off a first and second mortgage and that "Mortgage Placement Service[s], Inc., couldn't close out the loan because of documents they received" from other parties. The complaint does not allege any wrongdoing by or right to recovery against Mortgage Placement Services, Inc. and Mr. Campbell did not oppose the motion to dismiss. The motion to dismiss is granted.

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<sup>1</sup> Mr. Shopneck is not a named defendant. He filed his motion to address the possibility that the complaint is naming the Chapter 13 trustee office itself, as opposed to naming Mr. Wasserman, personally.

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**C. Craig Syby and Tower City Title: Motions to Dismiss  
for Failure to State a Claim**

Defendants Craig Syby and Tower City Title also move to dismiss the complaint.<sup>2</sup> (Docket 28, 50). Mr. Campbell opposed Mr. Syby's motion by incorporating a document titled "Answer to Deposition and Duces Tecum." (Docket 54, 55). Despite the title, the document is not a deposition and does not contain sworn testimony; it is instead three pages of numbered paragraphs with unsworn allegations accompanied by non-certified documents. As a preliminary matter, given this additional material, the Court must decide whether to consider the material (and analyze Mr. Syby's motion as a motion for summary judgment) or exclude it (and analyze the motion as one to dismiss). The referenced materials do not meet the standards set by Rule 56(e) because they are not sworn statements or certified documents. The materials will not, therefore, be considered and the motion will proceed as one to dismiss.

The Court turns then to the factual allegations made in the complaint as to Mr. Syby, a Tower City Title employee, and Tower City Title itself. They are: that Tower City Title handled the closing of a bill consolidation loan<sup>3</sup>; the loan did not close because of documents received by Tower City Title showing that Mr. Campbell owed \$11,272.01 and had a pending foreclosure; and other loans did not close because information given to Mr. Syby by another party "got into the credit bureau's system." The complaint does not allege any wrongful acts by Mr. Syby or Tower City Title and it does not request monetary damages or other relief as to either of them. Construing the complaint in a light most favorable to Mr. Campbell, it is impossible to discern from the face of the complaint what cause of action Mr. Campbell is asserting against these two

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<sup>2</sup> Mr. Syby and Tower City Title base their motion on the Ohio Rules of Civil Procedure, but the Court will analyze the issue under the Federal Rules.

<sup>3</sup> Tower City Title appears to have been the escrow agent for the transaction.

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defendants. Because Mr. Campbell failed to state a claim for relief against them, the motions to dismiss filed by Craig Syby and Tower City Title are granted.

The dismissal with respect to these two defendants, only, however, is granted with leave for Mr. Campbell to file an amended complaint against them. In granting this leave, the Court has considered the “Answer to Deposition and Duces Tecum” filed by Mr. Campbell. While that document does not save the complaint from being dismissed in its present form, it is relevant to whether Mr. Campbell should be permitted to file an amended complaint. *See* FED. R. CIV. P. 15(a) (made applicable by FED. R. BANKR. P. 7015). The document includes these statements:

CREDIT BUREAUS [sic] REPORTS

5. Plaintiff William D. Campbell says that on or about November 16, 2001, thru December 12, 2001, a derogatory Credit Report was issued by Craig W. Syby of Tower City Title Company, (being orchestrated by Robert B. Weltman of Weltman, Weinberg & Reis Co., L.P.A.), with the wilful intent to stop several loans in progress totaling over \$225,000.00 dollars and to destroy Plaintiff [sic] good credit, name and reputation and his ability to obtain future credit, and caused the default and charge-off of major credit lines accounts totaling over \$45,000.00 dollars.

THEREBY creating and leaving the Plaintiff with a total default indebtedness exceeding \$270,000.00[sic] dollars.  
(Plaintiff’s Exhibit “H”).

6. Copy of Plaintiff [sic] true and accurate credit report also dated November 30, 2001, showing all accounts “paid as agreed” and a credit score of 699.  
(Plaintiff’s Exhibit “I”).

7. Copy of Plaintiff [sic] current credit report dated March 6, 2003, reflecting defaults caused by derogatory credit report issued by Craig W. Syby of Tower City Title Company in December, 2001, now showing a negative “0” credit score.  
(Plaintiff’s Exhibit “J”).

8. THEREFORE, The Plaintiff William D. Campbell prays this Honorable Court for Summary Judgment as outlined in my original complaint filed on December 16, 2002.

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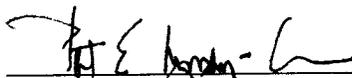
(Docket 54). Bearing in mind Mr. Campbell's *pro se* status and given these statements, Mr. Campbell is given leave to file an amended complaint **on or before May 28, 2003** against Craig Syby and Tower City Title, only, to state "a short and plain statement of the claim showing that [Mr. Campbell] is entitled to relief [against Craig Syby and Tower City Title]; and . . . a demand for judgment for the relief [he] seeks." FED. R. CIV. P. 8(a). If Mr. Campbell chooses to file an amended complaint, he is to include the jurisdictional statement required by Federal Rule 8(a).

**CONCLUSION**

For the reasons stated, the motions to dismiss filed by (1) Jonathan Marshall and Janet Green Marbley; (2) Saul Eisen, Joseph Guzinski, and Emily Sweeney; (3) Myron Wasserman; (4) Craig Shopneck; and (5) Mortgage Placement Services, Inc. are granted.

The motions to dismiss filed by Craig Syby and Tower City Title are also granted and the plaintiff is granted leave to file an amended complaint against these two parties only. Separate orders will be entered reflecting these decisions.

Date: 19 May 2003

  
Pat E. Morgenstern-Clarren  
United States Bankruptcy Judge

Served by mail on:

Mr. William Campbell  
Harry Greenfield, Esq.  
Philip Lamos, Esq.  
Tracey Turnbull, Esq.  
Rene Rimelspach, Esq.  
Robert Rosplock, Esq.  
Steven Paffilas, Esq.  
Craig Syby, Esq.

By: Joyce L. Gordon, Secretary

Date: 5/19/03

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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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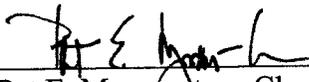
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

WILLIAM D. CAMPBELL,	)	Case No. 94-14704
	)	
Debtor.	)	Chapter 13
_____	)	
	)	Judge Pat E. Morgenstern-Clarren
	)	
WILLIAM D. CAMPBELL,	)	Adversary Proceeding No. 03-1012
	)	
Plaintiff,	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
ROBERT B. WELTMAN, et al.,	)	
	)	
Defendants.	)	

For the reasons stated in the Memorandum of Opinion filed this same date, the Motion of Tower City Title Agency, LLC to dismiss the Complaint against it is granted. (Docket 50). The Plaintiff is given leave to file an amended complaint as to Tower City Title on or before **June 3, 2003**.

IT IS SO ORDERED.

Date: 19 May 2003

  
Pat E. Morgenstern-Clarren  
United States Bankruptcy Judge

Served by mail on:

- Mr. William Campbell
- Harry Greenfield, Esq.
- Philip Lamos, Esq.
- Tracey Turnbull, Esq.
- Rene Rimelspach, Esq.
- Robert Rosplock, Esq.
- Steven Paffilas, Esq.
- Craig Syby, Esq.

By: Joyce L. Gordon Secretary  
Date: 5/19/03

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U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

WILLIAM D. CAMPBELL,	)	Case No. 94-14704
	)	
Debtor.	)	Chapter 13
_____	)	
	)	Judge Pat E. Morgenstern-Clarren
	)	
WILLIAM D. CAMPBELL,	)	Adversary Proceeding No. 03-1012
	)	
Plaintiff,	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
ROBERT B. WELTMAN, et al.,	)	
	)	
Defendants.	)	

For the reasons stated in the Memorandum of Opinion filed this same date, the Motion of Craig Syby to dismiss the Complaint against him is granted. (Docket 28). The Plaintiff is given leave to file an amended complaint as to Mr. Syby on or before **June 3, 2003**.

IT IS SO ORDERED.

Date: 19 May 2003 \_\_\_\_\_

Pat E. Morgenstern-Clarren  
United States Bankruptcy Judge

Served by mail on:  
Mr. William Campbell  
Harry Greenfield, Esq.  
Philip Lamos, Esq.  
Tracey Turnbull, Esq.  
Rene Rimelspach, Esq.  
Robert Rosplock, Esq.  
Steven Paffilas, Esq.  
Craig Syby, Esq.

By: Joyce L. Gordon, Secretary  
Date: 5/19/03

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UNITED STATES BANKRUPTCY COURT  
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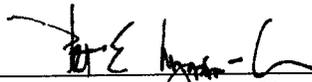
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

WILLIAM D. CAMPBELL,	)	Case No. 94-14704
	)	
Debtor.	)	Chapter 13
_____	)	
	)	Judge Pat E. Morgenstern-Clarren
	)	
WILLIAM D. CAMPBELL,	)	Adversary Proceeding No. 03-1012
	)	
Plaintiff,	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
ROBERT B. WELTMAN, et al.,	)	
	)	
Defendants.	)	

For the reasons stated in the Memorandum of Opinion filed this same date, the Motion of Federal Defendants Saul Eisen, Joseph Guzinski, and Emily Sweeney to dismiss the Complaint against them is granted. (Docket 36).

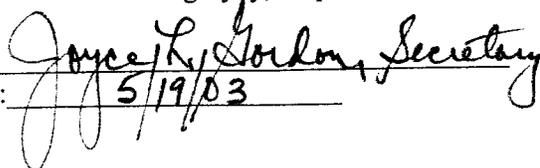
IT IS SO ORDERED.

Date: 19 May 2003

  
\_\_\_\_\_  
Pat E. Morgenstern-Clarren  
United States Bankruptcy Judge

Served by mail on:

- Mr. William Campbell
- Harry Greenfield, Esq.
- Philip Lamos, Esq.
- Tracey Turnbull, Esq.
- Rene Rimelspach, Esq.
- Robert Rosplock, Esq.
- Steven Paffilas, Esq.
- Craig Syby, Esq.

By:  Secretary  
Date: 5/19/03

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U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

WILLIAM D. CAMPBELL,	)	Case No. 94-14704
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Debtor.	)	Chapter 13
_____	)	
	)	Judge Pat E. Morgenstern-Clarren
	)	
WILLIAM D. CAMPBELL,	)	Adversary Proceeding No. 03-1012
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
ROBERT B. WELTMAN, et al.,	)	
	)	
Defendants.	)	

For the reasons stated in the Memorandum of Opinion filed this same date, the Motion of Myron Wasserman to dismiss the Complaint against him is granted. (Docket 37).

IT IS SO ORDERED.

Date: 19 May 2003

Pat E. Morgenstern-Clarren  
Pat E. Morgenstern-Clarren  
United States Bankruptcy Judge

Served by mail on:

- Mr. William Campbell
- Harry Greenfield, Esq.
- Philip Lamos, Esq.
- Tracey Turnbull, Esq.
- Rene Rimelspach, Esq.
- Robert Rosplock, Esq.
- Steven Paffilas, Esq.
- Craig Syby, Esq.

By: Joyce L. Gordon Secretary  
Date: 5/19/03

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U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

WILLIAM D. CAMPBELL,	)	Case No. 94-14704
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Debtor.	)	Chapter 13
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	)	Judge Pat E. Morgenstern-Clarren
	)	
WILLIAM D. CAMPBELL,	)	Adversary Proceeding No. 03-1012
	)	
Plaintiff,	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
ROBERT B. WELTMAN, et al.,	)	
	)	
Defendants.	)	

For the reasons stated in the Memorandum of Opinion filed this same date, the Motion of Mortgage Placement Services, Inc. to dismiss the Complaint against it is granted. (Docket 26).

IT IS SO ORDERED.

Date: 19 May 2003

Pat E. Morgenstern-Clarren  
Pat E. Morgenstern-Clarren  
United States Bankruptcy Judge

Served by mail on:

- Mr. William Campbell
- Harry Greenfield, Esq.
- Philip Lamos, Esq.
- Tracey Turnbull, Esq.
- Rene Rimelspach, Esq.
- Robert Rosplock, Esq.
- Steven Paffilas, Esq.
- Craig Syby, Esq.

By: Joyce L. Gordon, Secretary  
Date: 5/19/03

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NORTHERN DISTRICT OF OHIO  
CLEVELAND

WILLIAM D. CAMPBELL,	)	Case No. 94-14704
	)	
Debtor.	)	Chapter 13
_____	)	
	)	Judge Pat E. Morgenstern-Clarren
	)	
WILLIAM D. CAMPBELL,	)	Adversary Proceeding No. 03-1012
	)	
Plaintiff,	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
ROBERT B. WELTMAN, et al.,	)	
	)	
Defendants.	)	

For the reasons stated in the Memorandum of Opinion filed this same date, the Amended Motion of Craig Shopneck, Chapter 13 Trustee, to dismiss the Complaint against him is granted. (Docket 47).

IT IS SO ORDERED.

Date: 19 May 2003

Pat E. Morgenstern-Clarren  
Pat E. Morgenstern-Clarren  
United States Bankruptcy Judge

Served by mail on:

- Mr. William Campbell
- Harry Greenfield, Esq.
- Philip Lamos, Esq.
- Tracey Turnbull, Esq.
- Rene Rimelspach, Esq.
- Robert Rosplock, Esq.
- Steven Paffilas, Esq.
- Craig Syby, Esq.

By: Joyce L. Gordon, Secretary  
Date: 5/19/03

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Plaintiff,	)	
	)	
v.	)	<b><u>ORDER</u></b>
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ROBERT B. WELTMAN, et al.,	)	
	)	
Defendants.	)	

For the reasons stated in the Memorandum of Opinion filed this same date, the Motion of Jonathan W. Marshall and Janet Green Marbley to dismiss the Complaint against them is granted. (Docket 6).

IT IS SO ORDERED.

Date: 19 May 2003

Pat E. Morgenstern-Clarren  
Pat E. Morgenstern-Clarren  
United States Bankruptcy Judge

Served by mail on:

- Mr. William Campbell
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- Steven Paffilas, Esq.
- Craig Syby, Esq.

By: Joyce P. Gordon, Secretary  
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