

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

VITO J. FENELLO, JR., and BEVERLY  
H. FENELLO,

Plaintiffs,

vs.

BANK OF AMERICA, N.A., et al.,

Defendants.

CIVIL ACTION FILE

NO. 1:11-cv-4139-ODE

**J U D G M E N T**

This action having come before the court, Honorable William S. Duffey, Jr., United States District Judge, for consideration of the Motion to Dismiss filed by Defendants Bank of America, N.A. and The Bank of New York Mellon, the court having granted said motion and the Motion to Dismiss of Defendant Shuping, Morse & Ross, LLP having been granted on December 13, 2011,, and it is

**Ordered and Adjudged** that the plaintiff take nothing; that the defendants recover their costs of this action, and the action be, and the same hereby, is **dismissed**.

Dated at Atlanta, Georgia, this 15th day of February, 2013.

JAMES N. HATTEN  
CLERK OF COURT

By: s/ A. Coleman  
Deputy Clerk

Prepared, Filed, and Entered  
in the Clerk's Office  
February 15, 2013  
James N. Hatten  
Clerk of Court

By: s/ A. Coleman  
Deputy Clerk