

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 08-1987

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WILLIAM F. SHERLOCK;  
PATRICIA A. SHERLOCK,  
Appellants

v.

ROBERT HERDELIN;  
44 FINANCIAL CORP.

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(Civ. No. 04-cv-03438)  
District Judge: Hon. J. Curtis Joyner

Submitted pursuant to Third Circuit LAR 34.1(a)  
Tuesday, May 24, 2011

Before: McKEE, *Chief Judge*, SCIRICA and RENDELL, *Circuit Judges*

(Opinion filed: June 30, 2011)

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OPINION

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McKEE, *Chief Judge*.

William F. Sherlock and Patricia A. Sherlock appeal the district court's order granting Appellees Robert Herdelin's and 44 Financial Corporation's motions for summary judgment on Appellants' claims alleging violations of the Truth in Lending Act ("TILA"), Home Ownership

and Equity Protection Act (“HOEPA”), and Real Estate Settlement Procedures Act (“RESPA”). For the reasons set forth below, we will affirm.

Because we write primarily for the parties, we need not repeat the facts and procedural history of this case. Moreover, the district court has ably summarized the relevant background. *See Sherlock v. Herdelin*, 2008 WL 732146 (E.D. Pa. Mar. 17, 2008).

In its well- reasoned opinion, the district court concluded that the Sherlocks obtained their loan primarily for business purposes and thus held that the TILA, HOEPA, and RESPA did not apply to the loan as a matter of law. *Id.* at \*9. On appeal, the Sherlocks argue that they obtained their loan primarily for consumer purposes and therefore the district court erred in granting summary judgment to the Appellees on the ground that the TILA, HOEPA, and RESPA did not apply.

In his detailed and thoughtful opinion filed in this case, Judge Joyner carefully and clearly explained his reasons for concluding that the TILA, HOEPA, and RESPA did not apply. *See id.* We can add little to his discussion or analysis and we will therefore affirm the district court’s order granting summary judgment in favor of the Appellees for substantially the same reasons as set forth in that opinion without further elaboration.