

FILED

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MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FEDERAL HOUSING FINANCE  
AGENCY; et al.,

Plaintiffs-Appellees,

v.

SATICOY BAY, LLC,

Defendant-Appellant.

No. 20-17447

D.C. No.

2:16-cv-02242-JAD-BNW

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Nevada  
Jennifer A. Dorsey, District Judge, Presiding

Argued and Submitted February 18, 2022  
Submission Withdrawn March 14, 2022  
Resubmitted July 20, 2023  
San Francisco, California

Before: McKEOWN and W. FLETCHER, Circuit Judges, and BENNETT,\*\*  
District Judge.

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The Honorable Richard D. Bennett, United States District Judge for the District of Maryland, sitting by designation.

Defendant-Appellant Saticoy Bay LLC (“Saticoy”) appeals from the district court’s grant of summary judgment in favor of Plaintiffs-Appellees Federal Housing Finance Agency, Federal National Mortgage Association, and Federal Home Loan Mortgage Corporation (collectively, “Appellees”). We have jurisdiction under 28 U.S.C. § 1291. We review the grant of summary judgment de novo. *Nationstar Mortg. LLC v. Saticoy Bay LLC*, 996 F.3d 950, 954 (9th Cir. 2021).

Saticoy is a master LLC with numerous series LLCs that operate under its umbrella. *See Nev. Rev. Stat. § 86.296(2)*. Appellees sued Saticoy in district court for declaratory judgment and to quiet title over 37 properties, each of which is owned either by Saticoy or by one of its series LLCs. Appellees named Saticoy as the defendant. They did not name any of the series LLCs as defendants. The district court held that so long as they named and served the master LLC, Saticoy, as a defendant, Appellees did not need to name the series LLCs as defendants in order to exercise jurisdiction over them and their properties.

On appeal, Saticoy argues the district court lacked jurisdiction to grant relief with respect to the series LLCs’ properties because Appellees failed to name the series LLCs as defendants. On March 14, 2022, we certified to the Nevada Supreme Court the question whether a series LLC must be sued in its own name

for a court to obtain jurisdiction over it and its property, or whether a plaintiff need only name and serve the master LLC. *Fed. Hous. Fin. Agency v. Saticoy Bay, LLC*, 28 F.4th 115, 118 (9th Cir. 2022). On April 21, 2022, the Nevada Supreme Court accepted the question, and on July 6, 2023, it issued an opinion answering the question. The Nevada Supreme Court held that “a series LLC created pursuant to NRS 86.296 must be sued in its own name for the court to obtain jurisdiction over it, provided the series LLC has observed the corporate formalities provided for in NRS 86.296(3).” *Fed. Hous. Fin. Agency v. Saticoy Bay LLC*, No. 84370, 2023 WL 4360100, at \*1 (Nev. Jul. 6, 2023).

Based on the answer of the Nevada Supreme Court, we affirm in part, reverse in part, and remand for further proceedings. We affirm the judgment with respect to 372 Rushing Creek Court, owned by Saticoy. We reverse the judgment with respect to the other properties, owned by the series LLCs. We remand to the district court for whatever further proceedings it deems appropriate.

We **GRANT** Saticoy’s motion to strike a portion of Appellees’ citation of supplemental authority (ECF No. 43).

**AFFIRMED in part, REVERSED in part, REMANDED.**

Costs are to be taxed against Appellees.