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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FDIC, *et al.*,

Plaintiffs,

vs.

REX H. LEWIS, *et al.*,

Defendants.

2:10-cv-00439-JCM-VCF

ORDER

[RecoverEdge, L.P.'s Motion to Substitute as the
Real Party in Interest (#44)]

12 Before the Court is RecoverEdge, L.P.'s Motion to Substitute as the Real Party in Interest (#44).
13 On August 7, 2013, Plaintiffs filed the Motion to Substitute as the Real Party in Interest (#44) as one
14 document with the Motion for Summary Judgment on Its Deficiency Claim and Motion to Dismiss or,
15 Alternatively, Motion for Summary Judgment as to Defendants' Counterclaims. The Clerk's office
16 docketed the document as three separate motions on the Court docket. This Order addresses
17 RecoverEdge, L.P.'s Motion to Substitute as the Real Party in Interest (#44).

18 Plaintiff asserts that, "[c]ounsel has since learned that movant RecoverEdge is the assignee of the
19 Jonah Loan and is therefore the real party in interest to pursue lender's rights under that loan." *Id.* at 2.
20 Plaintiff seeks to substitute RecoverEdge as the real party in interest with respect to the Jonah Loan.

21 To date, no opposition has been filed to RecovEredge, L.P.'s Motion to Substitute as the Real
22 Party in Interest (#44).

23 Pursuant to LR 7-2 (d), "[t]he failure of an opposing party to file points and authorities in
24 response to any motions shall constitute a consent to the granting of the motion."
25

1 Accordingly,

2 IT IS HEREBY ORDERED that Recoveredge, L.P.'s Motion to Substitute as the Real Party in
3 Interest (#44) is GRANTED.

4 DATED this 12th day of September, 2013.



5 CAM FERENBACH
6 UNITED STATES MAGISTRATE JUDGE