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9 *Attorneys for Defendants*
10 *BAC Home Loans Servicing, LP (improperly*
named as BAC Home Loans Processing, LP)
11 *and Recontrust Company, N.A. (improperly*
named as Recontrust Company)

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

15 Paul Dewayne Walker and Maebelle Rae Walker,
Beneficiary of & Allan Walker, Executor for
16 CANTABRIA HEIGHTS FAMILY TRUST,

17 Plaintiff(s),

18 vs.

19 BAC HOME LOANS PROCESSING, LP,
FIRST AMERICAN TITLE COMPANY OF
20 NEVADA, RECONTRUST COMPANY, DOES
I through X, ROES I through X,
21

22 Defendant(s).

Case No: 2:11-cv-00363-KJD-PAL

[Proposed]
ORDER CANCELING LIS PENDENS

23 This Court issued an order granting Defendants BAC HOME LOANS SERVICING, LP
24 (improperly named as BAC Home Loans Processing, LP) and RECONTRUST COMPANY, N.A.'s
25 (improperly named as Recontrust Company) ("ReconTrust" and, together with BAC, "BAC
26 Defendants") Motion to Dismiss on May 16, 2011 [Dkt. 7].

27 BAC Defendants request that the lis pendens Plaintiff Allan Walker recorded against the
28 subject property be canceled.

1 The Court finds that Plaintiff Allan Walker recorded a Notice of Pending Action ("Lis
2 Pendens") on or about March 17, 2011, as Instrument No. 20110317-0003238 in the real property
3 records maintained by the Clark County Recorder. A copy of the Lis Pendens is attached hereto at
4 **Exhibit A** and fully incorporated by reference.

5 Upon consideration of BAC Defendants' request to cancel the above referenced Lis Pendens,
6 and good cause appearing therefore, the Court hereby grants BAC Defendants their requested relief
7 and rules as follows:

8 1. It is ordered, adjudged and decreed that the above referenced Lis Pendens is hereby
9 cancelled, released, and expunged.

10 2. It is further ordered, adjudged and decreed that this Order canceling the above
11 referenced Lis Pendens has the same effect as an expungement of the original Lis Pendens.

12 3. It is further ordered, adjudged and decreed that BAC Defendants record a properly
13 certified copy of this Cancellation Order in the real property records of Clark County, Nevada within
14 a reasonable amount of time from the date of this Order's issue.

15 APPROVED:

16 

17 UNITED STATES DISTRICT JUDGE

18 Dated: September 16, 2011

19 Submitted by:

20 **AKERMAN SENTERFITT LLP**

21 /s/ Christina S. Bhirud
22 ARIEL E. STERN, ESQ.
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26 *Attorneys for Defendants*
27 *BAC Home Loans Servicing, LP (improperly named*
as BAC Home Loans Processing, LP) and
28 *Recontrust Company, N.A. (improperly named as*
Recontrust Company)

EXHIBIT "A"

EXHIBIT "A"

Inst #: 201103170003238

Fees: \$15.00

N/C Fee: \$0.00

03/17/2011 03:12:16 PM

Receipt #: 709401

Requestor:

CANTABRIA HEIGHTS FAMILY TR

Recorded By: DHG Pgs: 2

DEBBIE CONWAY

CLARK COUNTY RECORDER

②

APN: 177-34-510-059
1022 CANTABRIA HEIGHTS AVE.
LAS VEGAS, NV 89183
APN: 177-34-510-059
Legal: CACTUS MARYLAND - SEASONS -
Unit 1, Rec: Book 103, Page 26
Filed by and return to Party:
CANTABRIA HEIGHTS FAMILY TRUST
2654 W HORIZON RIDGE PKWY B5-270
HENDERSON, NV 89052

**NOTICE
OF PENDING ACTION**

Re: 1022 CANTABRIA HEIGHTS AVE., LAS VEGAS, NV 89183; 177-34-510-059

NOTICE IS HEREBY GIVEN in accordance with NRS 14.010 that an action concerning and affecting the real property described hereinabove has commenced on March 8, 2011, in the UNITED STATES DISTRICT COURT DISTRICT OF NEVADA, CLARK COUNTY, NEVADA against BAC HOME LOANS PROCESSING, LP et al, by Plaintiff(s) CANTABRIA HEIGHTS FAMILY TRUST (an Express Federal Contract Trust), et al. This action is captioned Case No. 2:11-cv-00363-KJD-PAL and is now pending in the UNITED STATES DISTRICT COURT DISTRICT OF NEVADA, CLARK COUNTY, NEVADA.

This Action affects title and right of possession to the real property commonly known as: 1022 CANTABRIA HEIGHTS AVE., LAS VEGAS, NEVADA (the "Property") title to which Defendant is informed and believes is currently vested to the CANTABRIA HEIGHTS FAMILY TRUST, and is legally described and incorporated herein by reference.

Plaintiff in this action seeks, among other things, a judicial declaration to "quia timet" Quiet Title. Cease and Desist any and all foreclosure and sale attempts, and harassment of tenants Defendant(s), Defendant(s) counsel or Brokers/Agents.


DATED this 17 day of March, 2011
CANTABRIA HEIGHTS FAMILY TRUST

By: 

ALLAN WALKER

NU-WEST TRUST SERVICES, Trustee
2654 W HORIZON RIDGE PKWY B5-270
HENDERSON, NV 89052

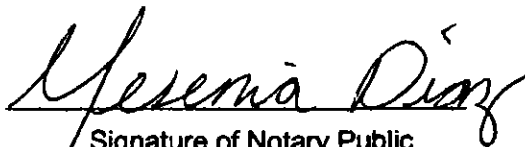
DATED this 17 day of March, 2011
CANTABRIA HEIGHTS FAMILY TRUST

By: 
ALLAN WALKER
NU-WEST TRUST SERVICES, Trustee

ACKNOWLEDGEMENT

STATE OF NEVADA
COUNTY OF CLARK

This instrument was acknowledged before me on this 16 day of March,
2011, by ALLAN WALKER personally known to me or proved to me on the basis of
satisfactory evidence to be the person who appeared before me.


Signature of Notary Public

