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7 Attorneys for Defendants, GMAC Mortgage,  
 LLC, Fidelity National Default Services,  
 8 incorrectly sued as GMAC Fidelity National  
 Default Solutions, and Mortgage Electronic  
 9 Registration Systems ("MERS")

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 \* \* \*

13 JOSE WILBERTO ANIBAN and TERESA  
 14 DAWN ANIBAN,

15 Plaintiffs,

16 vs.

17 INDYMAC BANK, F.S.B. fka INDYMAC  
 MORTGAGE SERVICES, a Division of One  
 18 West Bank; QUALITY LOAN SERVICES  
 CORPORATION; FIRST AMERICAN TITLE  
 19 INSURANCE COMPANY; FIRST  
 AMERICAN TITLE COMPANY OF  
 20 NEVADA; SILVER STATE FINANCIAL,  
 SERVICES, INC. dba SILVER STATE  
 MORTGAGE; QUANTUM SERVICING  
 21 CORPORATION as Agent for BENEFICIARY  
 LSI TITLE COMPANY; LSI TITLE  
 22 COMPANY; GMAC FIDELITY NATIONAL  
 DEFAULT SOLUTIONS; MORTGAGE  
 23 ELECTRONIC REGISTRATION SYSTER,  
 a.k.a. "MERS" TICOR TITLE OF NEVADA,  
 24 INC. fka TICOR TITLE COMPANY;  
 MICHELLE NGUYEN, NOTARY TOBO  
 25 SIGNER; ROGER D. STOTTS, ROBO  
 SIGNER; RICK WILKEN, ROBO SIGNER;  
 26 MARK BISCHOF, NOTARY ROBO SIGNER;  
 and DOES 1 through 100, inclusive,

27 Defendants.  
 28

CASE NO. 2:11-cv-01912-JCM-PAL

**ORDER GRANTING  
 MOTION TO CERTIFY JUDGMENT  
 AS FINAL**


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1 Before the Court is Defendants, GMAC MORTGAGE, LLC, FIDELITY NATIONAL  
2 DEFAULT SERVICES, incorrectly sued as GMAC FIDELITY NATIONAL DEFAULT  
3 SOLUTIONS, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS' ("MERS")  
4 (collectively "GMAC Defendants") Motion to Certify Judgment as Final [Doc. 27] ("Motion").  
5 Plaintiffs were served with the Motion on February 2, 2012. The Notice of Electronic Filing  
6 states that a response was due by February 19, 2012. As of the time of this filing, GMAC  
7 Defendants have not received a response.


8 Pursuant to LR 7-2(d), Plaintiffs failure to file points and authorities in response to the  
9 Motion constitutes Plaintiffs' consent to the granting of the Motion. There being no points and  
10 authorities filed in response to the Motion, and pursuant to LR 7-2(d), IT IS HEREBY  
11 ORDERED that the Motion is GRANTED.

12 IT IS SO ORDERED this 9<sup>th</sup> day of March, 2012.

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15   
United States District Judge

16 Submitted by:

17 **KOLESAR & LEATHAM, CHTD.**

18  
19 By   
20 ROBERT J. CALDWELL, ESQ.  
Nevada Bar No. 007637  
21 WILLIAM D. SCHULLER, ESQ.  
Nevada Bar No. 11271

22 Attorneys for Defendants, GMAC Mortgage,  
23 LLC, Fidelity National Default Services,  
24 incorrectly sued as GMAC Fidelity National  
25 Default Solutions, and Mortgage Electronic  
26 Registration Systems ("MERS")  
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1 **CERTIFICATE OF SERVICE**

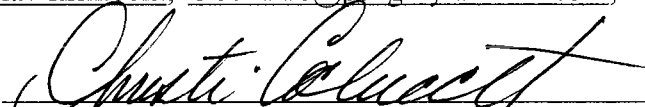
2 I hereby certify that I am an employee of Kolesar & Leatham, and that on the 2nd day of  
3 March, 2012, I caused to be served a true and correct copy of foregoing **[PROPOSED] ORDER**  
4 **GRANTING GMAC MORTGAGE, LLC, FIDELITY NATIONAL DEFAULT**  
5 **SERVICES, INCORRECTLY SUED AS GMAC FIDELITY NATIONAL DEFAULT**  
6 **SOLUTIONS, AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS'**  
7 **(“MERS”) MOTION TO DISMISS** in the following manner:

8 (ELECTRONIC SERVICE) Pursuant to FRCP 5(b)(3) and LR 5-4, the above-referenced  
9 document was electronically filed and served upon the parties listed below through the Court's  
10 Case Management and Electronic Case Filing (CM/ECF) system:

11 Christopher M. Hunter - [chunter@mccarthyholthus.com](mailto:chunter@mccarthyholthus.com)

12 Harold P. Gewerter - [harold@gewerterlaw.com](mailto:harold@gewerterlaw.com)

13 James W. Pengilly - [jpengilly@pengillylawfirm.com](mailto:jpengilly@pengillylawfirm.com), [OSchulze@pengillylawfirm.com](mailto:OSchulze@pengillylawfirm.com),  
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16 An Employee of KOLESAR & LEATHAM

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