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6 *Attorneys for Defendants Mortgage*  
*Electronic Registration Systems, Inc.,*  
 7 *ReconTrust Company, N.A., Bank of*  
*New York Mellon as Trustee for the*  
 8 *Certificate Holders CWABS, Inc. Asset-*  
 9 *backed Certificates, Series 2005-IM2,*  
*and Bank of America, N.A.*

10  
 11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 NORMA S. WAGONER,

14 Plaintiff,

15 v.

16 MORTGAGE ELECTRONIC REGISTRATION  
 SYSTEMS, INC., RECONTRUST COMPANY,  
 17 N.A., BANK OF NEW YORK MELLON fka  
 THE BANK OF NEW YORK, as Trustee for the  
 18 Certificate Holders CWABS, Inc. Asset-backed  
 Certificates, Series 2005-IM2, FIDELITY  
 19 NATIONAL DEFAULT SOLUTIONS, LSI  
 TITLE AGENCY, INC., BANK OF AMERICA,  
 20 N.A., DOES I through X, and ROE  
 CORPORATIONS I through X,

21 Defendants.

Case No.: 2:11-cv-01922-GMN-PAL

**ORDER CANCELING LIS PENDENS**

22  
 23  
 24 The Court finds Wagoner recorded a Notice of Lis Pendens Affecting Real Property on or  
 25 about February 22, 2012 as Instrument Number 201202220002390 in real property records  
 26 maintained by the Clark County Recorder. A copy of the Lis Pendens is attached as **Exhibit 1** and  
 27 fully incorporated by reference.

28 On November 9, 2011 Wagoner filed a complaint against defendants. Wagoner's complaint  
 was dismissed, without prejudice, by this Court on March 27, 2013. [Dkt. 26]. The Court gave

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1 Wagoner leave to amend, but cautioned she needed to file her amended complaint by April 25, 2013  
2 or the entire action would be dismissed **with prejudice**. *Id.* (emphasis added).

3 Wagoner failed to file an amended complaint pursuant to the Court's deadline.

4 The Court:

5 1. Orders, adjudges, and decrees that the above-referenced Lis Pendens is canceled,  
6 released and expunged.

7 2. Further orders, adjudges and decrees that this Order canceling the above-referenced  
8 Lis Pendens has the same effect as an expungement of the original Lis Pendens.

9 3. Further orders, adjudges and decrees defendants record a properly certified copy of  
10 this Cancellation Order in the real property records of Clark County, Nevada within a reasonable  
11 amount of time from the date of this Order's issue.

12 **IT IS SO ORDERED** this 21st day of May, 2013.

13   
14 \_\_\_\_\_  
15 Gloria M. Navarro  
16 United States District Judge

17 Submitted by:

18 DATED this 17th day of May, 2013.

19 **AKERMAN SENTERFITT LLP**

20 /s/ Christine M. Parvan  
21 ARIEL E. STERN, ESQ.  
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27 *Attorneys for Defendants Mortgage Electronic*  
28 *Registration Systems, Inc., ReconTrust*  
*Company, N.A., Bank of New York Mellon as*  
*Trustee for the Certificate Holders CWABS, Inc.*  
*Asset-backed Certificates, Series 2005-IM2, and*  
*Bank of America, N.A.*

# **EXHIBIT 1**

# **EXHIBIT 1**

3

Inst #: 201202220002390  
Fees: \$19.00  
N/C Fee: \$0.00  
02/22/2012 02:48:48 PM  
Receipt #: 1073779  
Requestor:  
JOHN PETER LEE  
Recorded By: MJM Pgs: 3  
DEBBIE CONWAY  
CLARK COUNTY RECORDER

**RECORDING COVER PAGE**

Must be typed or printed clearly in black ink only.

**APN#** 179-20-817-035

11 digit Assessor's Parcel Number may be obtained at:  
<http://redrock.co.clark.nv.us/assrealprop/owner.aspx>

**TITLE OF DOCUMENT (DO NOT Abbreviate)**

Notice of Lis Pendens

Title of the Document on cover page must be EXACTLY as it appears on the first page of the document to be recorded.

**Recording requested by:**

John Peter Lee, Ltd.

**Return to:**

**Name** John Peter Lee, Ltd.

**Address** 830 Las Vegas Boulevard South

**City/State/Zip** Las Vegas, Nevada 89101

This page provides additional information required by NRS 111.312 Sections 1-2.

An additional recording fee of \$1.00 will apply.

To print this document properly—do not use page scaling.

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Attorneys for Plaintiff  
6

7 UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

8 NORMA S. WAGONER,

9 Plaintiff,

CASE NO.:2:11-cv-01922-GMN -PAL

10 v.

11 MORTGAGE ELECTRONIC  
12 REGISTRATION SYSTEMS INC.,  
RECONTRUST COMPANY, N.A.  
13 BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK, AS  
14 TRUSTEE FOR THE CERTIFICATE  
HOLDERS CWABS, INC.  
15 ASSET-BACKED CERTIFICATES,  
SERIES 2005-IM2, FIDELITY  
16 NATIONAL DEFAULT SOLUTIONS,  
LSI TITLE AGENCY INC., BANK OF  
17 AMERICA, N.A., DOES I through X and  
ROE, CORPORATIONS I through X;

18 Defendants.  
19

20 2049.024348-mg

**NOTICE OF LIS PENDENS**

21 NOTICE IS HEREBY GIVEN that a Complaint implicating title has been filed in the above-  
22 entitled Court by the Plaintiffs against the named Defendants, Mortgage Electronic Registration  
23 Systems Inc., Recontrust Company, N.A., Bank of New York Mellon fka The Bank of New York,  
24 as Trustee for the Certificate Holders CWABS, Inc., Asset-Backed Certificates, Series 2005-IM@,  
25 Fidelity National Default Solutions, LSI Title Agency Inc., Bank of America, N.A.

26 ...

27 ...

28 ...

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1 The said premises affected by this action is commonly described as 437 Riverton Road,  
2 Henderson, Nevada, 89015, situated in Clark County, Nevada, and full legal description being as  
3 follows:

4 Parcel I:  
5 Lot Thirty-Five (35) in Block Three (3) of TRADITIONS at  
6 HENDERSON, as shown by map thereof on file in Book 93 of  
7 Plats, Page 82, in the Office of the County Recorder of Clark  
8 County, Nevada.  
9 APN# 179-20-817-035

DATED this 22<sup>nd</sup> of February, 2012.

JOHN PETER LEE, LTD.

BY: 

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Attorneys for Plaintiff

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