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6 *Attorneys for Defendants*

7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

\* \* \*

10 BRANCH BANKING AND TRUST  
11 COMPANY, a North Carolina banking  
corporation,

CASE NO. 2:12-cv-00451-APG-GWF

12  
13 Plaintiff,

**ORDER**

14 vs.

15 REGENA HOMES, LLC, a Nevada limited  
liability company, YOEL INY; NOAM  
16 SCHWARTZ; YOEL INY, Trustee of the Y&T  
INY FAMILY TRUST dated June 8, 1994;  
NOAM SCHWARTZ, Trustee of the NOAM  
17 SCHWARTZ TRUST dated August 19, 1999;  
D.M.S.I., L.L.C., a Nevada limited liability  
18 company; GREAT AMERICAN CAPITAL, a  
Nevada corporation; and DOES 1 through 10,  
19 inclusive,

20 Defendants.

21  
22 **STIPULATED ORDER TO VACATE JUDGMENTS**  
**AND TO DISMISS ACTION WITH PREJUDICE**

23 Plaintiff BRANCH BANKING AND TRUST COMPANY (“BB&T” or “Plaintiff”), by  
24 and through its undersigned counsel of record, and Defendants REGENA HOMES, LLC, YOEL  
25 INY, NOAM SCHWARTZ, YOEL INY as Trustee of the Y&T INY FAMILY TRUST dated  
26 June 8, 1994, NOAM SCHWARTZ as Trustee of the NOAM SCHWARTZ TRUST dated  
27 August 19, 1999, D.M.S.I., L.L.C., and GREAT AMERICAN CAPITAL (collectively  
28 “Defendants”), by and through their undersigned counsel of record, hereby stipulate and agree to

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1 the entry of this Stipulated Order by this Court providing as follows:

2 1. The Judgment entered in this action in favor of BB&T and against Defendants on  
3 August 27, 2015 [ECF No. 179 ] in the amount of \$1,975,766.24 is hereby vacated;

4 2. The Clerk's Judgment entered in this action in favor of BB&T and against  
5 Defendants on September 6, 2016 [ECF No. 196] awarding BB&T attorney fees in the amount of  
6 \$216,204.26 is hereby vacated;

7 3. The Amended Clerk's Judgment entered in this action in favor of BB&T and  
8 against Defendants on May 1, 2017 [ECF No. 211] awarding BB&T attorney fees in the amount  
9 of \$216,204.26 and non-taxable costs in the amount of \$8,318.89 is hereby vacated;

10 4. All claims and counterclaims asserted in this action are hereby dismissed with  
11 prejudice; and

12 5. The parties shall each bear their own attorney fees and costs incurred in  
13 connection with this action.

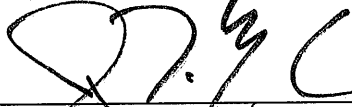
14 IT IS SO STIPULATED.

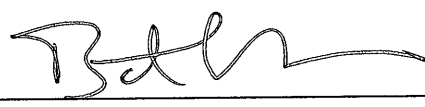
15 DATED this 19 day of Jan., 2017.

DATED this 6<sup>th</sup> day of Nov., 2017.

16 **HOLLAND & HART LLP**

**KOLESAR & LEATHAM**


17   
18 By \_\_\_\_\_  
19 JEREMY J. NORK, ESQ.  
FRANK Z. LAFORGE, ESQ.  
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17   
18 By \_\_\_\_\_  
19 BART K. LARSEN, ESQ.  
20 400 South Rampart Boulevard, Suite 400  
Las Vegas, Nevada 89145

21 *Attorneys for Plaintiff*

*Attorneys for Defendants*

22  
23  
24 **IT IS SO ORDERED.**

25   
26 \_\_\_\_\_  
27 UNITED STATES DISTRICT JUDGE  
28 Dated: December 21, 2017.