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 Attorneys for Plaintiff

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

10 PHILIP SABATINO OGNIBENE, an individual,  
 11  
 Plaintiff,  
 12  
 13 vs.  
 14 PHILIP SABATINO LAGORI, an individual, and  
 SIGNATURE BANK, a foreign corporation,  
 15  
 Defendants.  
 16

Civil No: 2:12-v-01307-RCJ-GWF

**DEFAULT JUDGMENT**

17 A Motion for Entry of Default Judgment having been made by Plaintiff Philip Sabatino  
 18 Ognibene against Defendant Philip Sabatino Lagori, and the Default of Philip Sabatino Lagori  
 19 for failure to answer or defend as to Plaintiff’s Complaint having been filed, and it appearing  
 20 that Philip Sabatino Lagori is not an infant or incompetent person, and good cause appearing,  
 21

22 IT IS ORDERED that Default Judgment is hereby granted and entered against  
 23 Defendant Philip Sabatino Lagori on Plaintiff’s causes of action for Quiet Title and Declaratory  
 24 Relief raised in Plaintiff’s Complaint filed against Defendant Philip Sabatino Lagori.  
 25

26 IT IS FURTHER ORDERED that title to the real property located at 95 East Windmill  
 27 Lane, Las Vegas, Nevada 89123, APN: 177-16-102-032 (the “Real Property”), shall be quieted  
 28 in Philip Sabatino Ognibene. The legal description of the Real Property is as follows:

1 THE WEST HALF (W1/2) OF GOVERNMENT LOT ELEVEN  
2 (11) IN SECTION 16, TOWNSHIP 22 SOUTH, RANGE 61  
3 EAST, M.D.M. EXCEPTING THEREFROM THAT PORTION  
4 OF SAID LAND OF ROAD PURPOSES AS CONVEYED TO  
5 THE COUNTY OF CLARK BY THAT CERTAIN FINAL  
ORDER OF CONDEMNATION, RECORDED APRIL 5, 2000,  
IN BOOK 20000405, AS DOCUMENT NO. 01234 OF  
OFFICIAL RECORDS.

6 IT IS FURTHER ORDERED that Plaintiff is entitled to the following declaratory relief:

7 A) The Quitclaim Deed recorded in the Office of the County Recorder for Clark  
8 County, Nevada, on June 18, 2007, as book and instrument number 20070618:0000351 is  
9 declared to be void.  
10

11 B) Plaintiff Philip Sabatino Ognibene is declared to be the sole owner of the Real  
12 Property and title to the Real Property is vested in him.

13 C) It is declared that Defendant Philip Sabatino Lagori had no right, title, or interest  
14 in the Real Property that he could have conveyed to Signature Bank under the Deed of Trust  
15 recorded against the Real Property with the Clark County Recorder's office on October 16,  
16 2007, as book and instrument number 20071016:0001985, and under the Assignment of Rents  
17 recorded against the Real Property with the Clark County Recorder's office on October 16,  
18 2007, as book and instrument number 20071016:0001986, which Assignment of Rents was later  
19 re-recorded as book and instrument number 20080718:0002732.  
20  
21

22 IT IS FURTHER ORDERED that Defendant Philip Sabatino Lagori shall pay  
23 \$11,601.50 to Plaintiff Philip Sabatino Ognibene as and for attorneys' fees incurred by Plaintiff  
24 in pursuing this matter.  
25

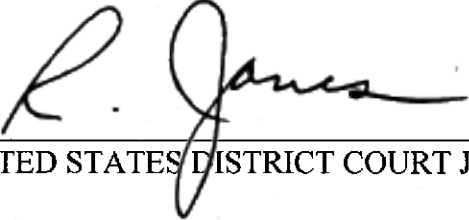
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1 IT IS FURTHER ORDERED that Defendant Philip Sabatino Lagori shall pay \$719 to  
2 Plaintiff Philip Sabatino Ognibene as and for costs incurred by Plaintiff in pursuing this matter.

3 Dated This 24th day of October, 2012.

4  
5   
6 \_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE

7 Prepared & Submitted by:  
8 **BARLOW FLAKE LLP**

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10 \_\_\_\_\_  
11 **JONATHAN W. BARLOW**  
12 Nevada Bar No. 9964  
13 Attorneys for Plaintiff  
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**BARLOW FLAKE**  
ATTORNEYS AT LAW

Jonathan W. Barlow – Jordan M. Flake

October 17, 2012

**VIA HAND DELIVERY**

Magistrate Judge George W. Foley  
333 S. Las Vegas Blvd.  
Las Vegas, NV 89101

Re: Ognibene v. Lagori  
Civil no. 2:12-v-01307-RCJ-GWF

Dear Judge Foley:

In regard to the above-captioned case, I have enclosed a proposed Default Judgment for your consideration in connection with the Motion for Entry of Default Judgment that was filed on October 12, 2012, a copy of which is also enclosed. I appreciate your consideration of this matter as your calendar will allow.

Sincerely,

BARLOW FLAKE LLP



Jonathan W. Barlow