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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

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

CASE NO. 2-12-cv-01775-LRH-PAL

Plaintiff,

vs.

SOSSAMAN & GUADALUPE PLAZA, LLC,
a Nevada limited liability company, YOEL
INY; NOAM SCHWARTZ; YOEL INY,
Trustee of the Y&T INY FAMILY TRUST
dated June 8, 1994; NOAM SCHWARTZ,
Trustee of the NOAM SCHWARTZ TRUST
dated August 19, 1999; D.M.S.I., L.L.C., a
Nevada limited liability company; and DOES 1
through 10, inclusive,

Defendants.

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

Plaintiff BRANCH BANKING AND TRUST COMPANY ("BB&T" or "Plaintiff"), by
and through its undersigned counsel of record, and Defendants SOSSAMAN & GUADALUPE
PLAZA, LLC, YOEL INY, NOAM SCHWARTZ, YOEL INY as Trustee of the Y&T INY
FAMILY TRUST dated June 8, 1994, NOAM SCHWARTZ as Trustee of the NOAM
SCHWARTZ TRUST dated August 19, 1999, and D.M.S.I., L.L.C. (collectively "Defendants"),
by and through their undersigned counsel of record, hereby stipulate and agree to the entry of

1 this Stipulated Order by this Court providing as follows:

2 1. The Final Deficiency Judgment entered in this action in favor of BB&T and
3 against Defendants on July 11, 2016 [ECF No. 147] in the amount of \$515,160.40 is hereby
4 vacated;

5 2. The Judgment entered in this action in favor of BB&T and against Defendants on
6 February 10, 2017 [ECF No. 163] awarding BB&T attorney fees in the amount of \$208,848.22
7 and nontaxable costs in the amount of \$4,475.10 is hereby vacated;

8 3. All claims and counterclaims asserted in this action are hereby dismissed with
9 prejudice; and

10 4. The parties shall each bear their own attorney fees and costs incurred in
11 connection with this action.

12
13 IT IS SO STIPULATED.

14 DATED this 19 day of Dec., 2017.

DATED this 6th day of Nov., 2017.

15 **HOLLAND & HART LLP**

KOLESAR & LEATHAM

16

17

By 

By 

JEREMY J. NORK, ESQ.
FRANK Z. LAFORGE, ESQ.
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Reno, Nevada 89511

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400 South Rampart Boulevard, Suite 400
Las Vegas, Nevada 89145

Attorneys for Defendants

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Attorneys for Plaintiff

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IT IS SO ORDERED.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

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DATED: December 22, 2017

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