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5

6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 LN MANAGEMENT LLC SERIES 8246
AZURE SHORES

Case No. 2:13-CV-1307-JCM-PAL

9 Plaintiff,

10 v.

ORDER

11 ARLENE G. DIZON, and individual;
WELLS FARGO BANK N.A.; WORLD
12 SAVINGS BANK, FSB; and DOES 1
through 10; and ROE BUSINESS
13 ENTITIES 1 through 10, inclusive;

14 Defendants.

15 AND ALL RELATED CLAIMS

16
17 This case having come on regularly before the above-entitled Court for hearing on August
18 15, 2014 on Plaintiff/Counterdefendant's Emergency Motion for Temporary Restraining Order,
19 Plaintiff/Counterdefendant appearing by and through their attorney, Kerry P, Faughnan, Esq. and
20 Defendant/Counterclaimant, Wells Fargo Bank,N.A., appearing by and through its attorney,
21 David J. Merrill, Esq of the Law Firm of David J. Merrill P.C. The Court having examined all
22 documents and pleadings on file herein, the Court having heard argument, and the Court being
23 fully advised in the premises, the Court is aware that there are a number of cases currently
24 pending in the Nevada Supreme Court that address the same or similar facts as the matters at issue
25 in this case.
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1 The Court recognizes that there is disagreement among the state and federal courts
2 regarding the interpretation of Nev. Rev. Stat. § 116.3116. Therefore, out of respect for Nevada's
3 sovereignty and interest in having its statutes interpreted by its own judges, the court finds it
4 appropriate to maintain the status quo by granting a Preliminary Injunction in favor of Plaintiff.


5 **THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** that
6 Plaintiff/Counterdefendant's Emergency Motion for Temporary Restraining Order (Doc # 35), be,
7 and Preliminary Injunction hereby is, GRANTED.

8 **IT IS FURTHER ORDERED** that Defendant/Counterclaimant, Wells Fargo Bank, N.A.
9 as well as its officers, agents, servants, employees, attorneys, and persons in active concert or
10 participation with them who receive actual notice of this order are hereby enjoined and restrained
11 from any foreclosure sale of the real property located at 8246 Azure Shores Ct, Las Vegas,
12 Nevada 89117.

13 **IT IS FURTHER ORDERED** that Plaintiff/Counterdefendant will maintain the real
14 property at issue in its current condition; and Plaintiff/Counterdefendant is to pay of all applicable
15 fees, assessments and taxes.

16 **IT IS FURTHER ORDERED** that Plaintiff shall post a bond with the Court in the
17 amount of \$1,500.00.

18 DATED August 26, 2014.

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21 
22 UNITED STATES DISTRICT JUDGE

23 Respectfully Submitted By:
24 /s/Kerry P. Faughnan
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Approved as to Form and Content:
No Response from Counsel
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