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

11 LUISITO PINEDA,

12 Plaintiff,

13 v.

14 GERALD HASSELL CEO for THE BANK OF  
15 NEW YORK MELLON FKA THE BANK OF  
16 NEW YORK AS SUCCESSOR TRUSTEE TO  
17 JP MORGAN CHASE BANK, N.A. as  
18 TRUSTEE FOR HOLDERS OF SAMI II 2006-  
19 AR2., MTG PASS-THROUGH  
20 CERTIFICATES, SERIES 2006-AR2.,

21 Defendants.

Case No.: 2:14-cv-00346-APG-VCF

**ORDER GRANTING  
MOTION TO DISMISS [DKT. 4],  
MOTION TO STRIKE [DKT. 7], AND  
MOTION TO STRIKE [DKT. 17]**

22 Defendant Gerald Hassell, CEO of the Bank of New York Mellon (**Hassell**), filed a motion  
23 to dismiss [Dkt. 4] on March 12, 2014, a motion to strike [Dkt. 7] various documents filed in state  
24 court on March 17, 2014, and a motion to strike [Dkt. 17] the documents filed as [Dkt. 13] and [Dkt.  
25 14] on March 31, 2014. Plaintiff Luisito Pineda did not oppose any of the foregoing motions.

26 The Court heard the motions on April 10, 2014, at 1:30 p.m. Christina S. Bhirud, Esq.  
appeared on behalf of Hassell, and plaintiff appeared in proper person (and accompanied by Ayrick  
Talbo).


{28474398;1}

1 The Court, having reviewed the motions and all related filings, having heard arguments  
2 presented by counsel and plaintiff, and for good cause appearing, orders, adjudges, and decrees as  
3 follows:

4 It is ORDERED, ADJUDGED, and DECREED that Gerald Hassell's motion to dismiss [Dkt.  
5 4], motion to strike [Dkt. 7] various documents filed in state court, and motion to strike [Dkt. 17] the  
6 documents filed as [Dkt. 13] and [Dkt. 14] ARE GRANTED;

7 It is further ORDERED, ADJUDGED, and DECREED that the case is dismissed without  
8 prejudice.

9  
10 **IT IS SO ORDERED.**

11 

12 UNITED STATES DISTRICT COURT JUDGE

13 Dated: April 14, 2014  
14 \_\_\_\_\_

15 Respectfully submitted,  
16

17  
18 /s/ Christina S. Bhirud  
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