

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 NEVADA SAND CASTLES, LLC,)
4)
5 Plaintiff,)
6 vs.)

Case No.: 2:15-cv-00588-GMN-VCF

ORDER

7 GREEN TREE SERVICING LLC;)
8 RECONTRUST COMPANY, N.A.; BANK)
9 OF AMERICA, NA; PRLAP, INC.; DOES I)
10 THROUGH X, inclusive; ROE BUSINESS)
11 ENTITIES I THROUGH X, inclusive,)
12 Defendants,)

13 And)

14 FEDERAL NATIONAL MORTGAGE)
15 ASSOCIATION; and FEDERAL HOUSING)
16 FINANCE AGENCY, as Conservator of)
17 Federal National Mortgage Association,)
18 Intervenor.)

19 FEDERAL NATIONAL MORTGAGE)
20 ASSOCIATION; FEDERAL HOUSING)
21 FINANCE AGENCY, as Conservator of)
22 Fannie Mae,)

23 Counterclaimants,)
24 vs.)

25 NEVADA SANDCASTLES, LLC,)
Counter-Defendant.)

1 Pending before the Court is the Motion to Expunge Lis Pendens, (ECF No. 60), filed by
2 Defendant Green Tree Servicing LLC (“Defendant”). For the reasons discussed below, the
3 Court **GRANTS** Plaintiff’s Motion to Expunge Lis Pendens.

4 **I. BACKGROUND**

5 Plaintiff Nevada Sand Castles LLC (“Plaintiff”) originally filed this lawsuit on February
6 24, 2015, and Defendant removed this action on March 31, 2015. (Pet. for Removal, ECF No.
7 1). On February 22, 2017, the Court entered an order granting summary judgment for
8 Intervenor, (ECF No. 58). Pursuant to this Order, Defendant filed the instant Motion.
9 Plaintiff did not file a response, and the deadline to do so has passed.

10 **II. DISCUSSION**

11 Local Rule 7-2(d) provides that “[t]he failure of an opposing party to file points and
12 authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for
13 attorney’s fees, constitutes a consent to the granting of the motion.” D. Nev. R. 7-2(d). Given
14 Plaintiff’s failure to file an opposition, the Court grants the Motion pursuant to Local Rule 7-
15 2(d).

16 **III. CONCLUSION**

17 **IT IS HEREBY ORDERED** that Plaintiff’s Motion to Expunge Lis Pendens, (ECF No.
18 60), is **GRANTED**.

19 **IT IS FURTHER ORDERED** that the Notice of Pendency of Action or Lis Pendens
20 recorded by Plaintiff in relation to this matter, as Instrument No. 20150320-0002272 as to a
21 certain parcel of real property with Assessor’s Parcel No. 161-21-810-057 shall be expunged.

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