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7 *Attorneys for Plaintiff Wells Fargo Bank, N.A., as*
 8 *Trustee for the Certificateholders of Banc of*
 9 *America Funding Corporation Mortgage Pass-*
Through Certificates, Series 2007-5

10 UNITED STATES DISTRICT COURT
 11 DISTRICT OF NEVADA

12 WELLS FARGO BANK, N.A., AS TRUSTEE
 FOR THE CERTIFICATEHOLDERS OF
 13 BANC OF AMERICA FUNDING
 CORPORATION MORTGAGE PASS-
 THROUGH CERTIFICATES, SERIES 2007-5,

Case No.: 2:15-cv-00654-GMN-CWH

14 Plaintiff,

**DISCLAIMER OF INTEREST AND
 DISMISSAL OF DB PRIVATE WEALTH
 MORTGAGE LTD.**

15 vs.

16 GRAND SIERRA RESORT UNIT-OWNERS'
 17 ASSOCIATION; MEI-GSR HOLDINGS, LLC;
 AM-GSR HOLDINGS LLC; and DB PRIVATE
 18 WEALTH MORTGAGE LTD.,

19 Defendants.

20 Plaintiff Wells Fargo Bank, N.A., as Trustee for the Certificateholders of Banc of America
 21 Funding Corporation Mortgage Pass-Through Certificates, Series 2007-5 ("**Wells Fargo**") and
 22 Defendant DB Private Wealth Mortgage Ltd ("**DB Private Wealth**") stipulate as follows:

23 1. WHEREAS, DB Private Wealth claims no legal right, title, or interest in the deed of
 24 trust recorded in the Washoe County recorder's office against the property located at 2500 East 2nd
 25 Street #1940, Reno, Nevada 89595 (the "**Property**") on August 22, 2013, as Instrument No.
 26 4271930 (the "**4271930 deed of trust**"), as evidenced by a Substitution of Trustee and Deed of
 27 Reconveyance, dated August 24, 2016, and attached hereto as **Exhibit A**.
 28

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1 2. WHEREAS, DB Private Wealth claims no legal right, title, or interest in the deed of
2 trust recorded in the Washoe County recorder's office against the property located at 2500 East 2nd
3 Street #1940, Reno, Nevada 89595 (the "**Property**") on August 22, 2013, as Instrument No.
4 4271931 (the "**4271931 deed of trust**"), as evidenced by a Substitution of Trustee and Deed of
5 Reconveyance, dated August 24, 2016, and attached hereto as **Exhibit B**.

6 3. WHEREAS, DB Private Wealth and its successors expressly disclaim any and all
7 right, title, and interest in the Property which it obtained solely pursuant to the above-referenced
8 deeds.

9 4. WHEREAS, Wells Fargo agrees, based upon DB Private Wealth's disclaimer set forth
10 herein, that DB Private Wealth should be dismissed from this action; and

11 5. WHEREAS, based upon DB Private Wealth's disclaimer set forth herein, Wells Fargo
12 and DB Private Wealth agree to bear their own attorney's fees and costs.

<p>13 DATED: June <u>25</u>, 2018.</p> <p>14 AKERMAN LLP</p> <p>15 <i>/s/ Rex D. Garner, Esq.</i></p> <p>16 <u>ARIEL E. STERN, ESQ.</u> Nevada Bar No. 8276 17 <u>REX D. GARNER, ESQ.</u> Nevada Bar No. 9401 18 1635 Village Center Circle, Suite 200 Las Vegas, Nevada 89134</p> <p>19 <i>Attorneys for plaintiff Wells Fargo Bank, N.A., 20 as Trustee for the Certificateholders of Banc of 21 America Funding Corporation Mortgage Pass- Through Certificates, Series 2007-5</i></p>	<p>DATED: June 25, 2018.</p> <p><i>Eric M. Herbst</i></p> <p><u>Eric Herbst</u> DB USA CORE CORPORATION DB PRIVATE WEALTH MORTGAGE LTD. 5201 Gate Parkway Jacksonville, Florida 32256</p>
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22 **ORDER**

23 **IT IS HEREBY ORDERED** that the parties' stipulation to dismiss Plaintiff's
24 claims against DB Private Wealth Mortgage Ltd. is **GRANTED**.

25 **IT IS FURTHER ORDERED** that the Clerk of Court is instructed to close the
26 case.

26 Dated this 30 day of June, 2018.

27 *[Signature]*
28 UNITED STATES DISTRICT COURT JUDGE

INDEX OF EXHIBITS

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- A. Substitution of Trustee and Deed of Reconveyance (for the first deed of trust, Doc No. 4271930), dated August 24, 2016
- B. Substitution of Trustee and Deed of Reconveyance (for the second deed of trust, Doc No. 4271931), dated August 24, 2016

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EXHIBIT A

**Substitution Of Trustee
And Deed Of Reconveyance
(Dated August 24, 2016)**

When Recorded Mail to:

Scott Giordano, Esq.
Loeb & Loeb LLP
345 Park Avenue
New York, New York 10154

SUBSTITUTION OF TRUSTEE AND DEED OF RECONVEYANCE

The Undersigned, **DB PRIVATE WEALTH MORTGAGE LTD.** (the “Beneficiary”), as the owner and holder of the notes secured by that certain **Leasehold Deed of Trust, Assignment of Leases and Rents, Fixture Filing, and Security Agreement** (“Deed of Trust”) made by **MEI-GSR HOLDINGS, LLC** (the “Grantor”), as Trustor, to **FIRST AMERICAN TITLE COMPANY**, as Trustee, for the benefit of the Beneficiary, as beneficiary, which Deed of Trust was recorded **August 22, 2013** as **Doc. No. 4271930**, in Official Records of Washoe County, Nevada, hereby substitutes and appoints the Beneficiary as TRUSTEE in lieu of the Trustee therein.


Whereas said SUBSTITUTED TRUSTEE, pursuant to the request of Beneficiary and in accordance with the provisions of said Deed of Trust, DOES HEREBY RECONVEY WITHOUT WARRANTY, TO THE PERSON, OR PERSONS, LEGALLY ENTITLED THERETO, ALL THE ESTATE NOW HELD BY IT UNDER SAID DEED OF TRUST.

Dated this 24 day of August, 2016

[SIGNATURE PAGE FOLLOWS]

BENEFICIARY:

DB PRIVATE WEALTH MORTGAGE LTD.

By: 


Name: _____
Title: **Thomas Clarke
Managing Director**

By: 

Name: _____
Title: **John Skorupski
Vice President**

State of New York
County of New York

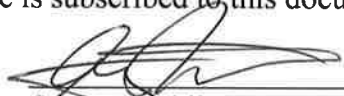
On August 24, 2016 before me, a NOTARY PUBLIC, personally appeared Thomas Clarke personally known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to this document.


(Notary Public)

ANTHONY PONTORIERO
Notary Public, State of New York
No. 01PO6311276
Qualified in New York County
Commission Expires September 15, 2018

State of New York
County of New York

On August 24, 2016 before me, a NOTARY PUBLIC, personally appeared John Skorupski personally known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to this document.


(Notary Public)

ANTHONY PONTORIERO
Notary Public, State of New York
No. 01PO6311276
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EXHIBIT B

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(Dated August 24, 2016)**

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Scott Giordano, Esq.
Loeb & Loeb LLP
345 Park Avenue
New York, New York 10154

SUBSTITUTION OF TRUSTEE AND DEED OF RECONVEYANCE

The Undersigned, **DB PRIVATE WEALTH MORTGAGE LTD.** (the “Beneficiary”), as the owner and holder of the notes secured by that certain **Fee Deed of Trust, Assignment of Leases and Rents, Fixture Filing, and Security Agreement** (“Deed of Trust”) made by **MEI-GSR HOLDINGS, LLC, AM-GSR HOLDINGS, LLC and GAGE VILLAGE COMMERCIAL DEVELOPMENT, LLC** (collectively, the “Grantor”), as Trustor, to **FIRST AMERICAN TITLE COMPANY**, as Trustee, for the benefit of the Beneficiary, as beneficiary, which Deed of Trust was recorded **August 22, 2013** as **Doc. No. 4271931**, in Official Records of Washoe County, Nevada, hereby substitutes and appoints the Beneficiary as TRUSTEE in lieu of the Trustee therein.

Whereas said SUBSTITUTED TRUSTEE, pursuant to the request of Beneficiary and in accordance with the provisions of said Deed of Trust, DOES HEREBY RECONVEY WITHOUT WARRANTY, TO THE PERSON, OR PERSONS, LEGALLY ENTITLED THERETO, ALL THE ESTATE NOW HELD BY IT UNDER SAID DEED OF TRUST.

Dated this 24 day of August, 2016

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DB PRIVATE WEALTH MORTGAGE LTD.

By: _____ 

Name: **Thomas Clarke**
Title: **Managing Director**

By: _____ 

Name: **John Skorupski**
Title: **Vice President**

State of New York
County of New York

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