

ROGER P. CROTEAU & ASSOCIATES, LTD.
• 9120 W. Post Road, Suite 100 • Las Vegas, Nevada 89148 •
Telephone: (702) 254-7775 • Facsimile (702) 228-7719

1 ROGER P. CROTEAU, ESQ.
Nevada Bar No. 4958
2 TIMOTHY E. RHODA, ESQ.
Nevada Bar No. 7878
3 ROGER P. CROTEAU & ASSOCIATES, LTD.
9120 West Post Road, Suite 100
4 Las Vegas, Nevada 89148
(702) 254-7775
5 (702) 228-7719 (facsimile)
croteaulaw@croteaulaw.com
6 ***Attorney for Plaintiff***
LAS VEGAS DEVELOPMENT GROUP, LLC
7

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 ***

11 LAS VEGAS DEVELOPMENT GROUP, LLC,)
12 a Nevada limited liability company,)

13 Plaintiff,)

Case No. 2:15-cv-1128-RCJ-CWH

14 vs.)

15 ROBERTO E. STEVEN, a individual; WELLS)
FARGO BANK NA, a National Banking)
16 Association; NATIONAL DEFAULT)
SERVICING CORPORATION, an Arizona)
17 corporation; GEORGE COOPER, an)
individual; MARIE COOPER, an individual;)
18 SECRETARY OF THE DEPARTMENT OF)
HOUSING AND URBAN DEVELOPMENT, a)
19 federal governmental agency; EVERGREEN)
MONEYSOURCE MORTGAGE COMPANY,)
20 a Washington corporation; US BANK)
NATIONAL ASSOCIATION, a National)
21 Banking Association; DOE individuals I)
through XX; and ROE CORPORATIONS I)
22 through XX,)

23 Defendants.)

24
25 **STIPULATION AND ORDER TO PARTIALLY DISMISS AS TO**
DEFENDANT, SECRETARY OF THE DEPARTMENT
26 **OF HOUSING AND URBAN DEVELOPMENT ONLY**
AND TO WITHDRAW MOTION TO DISMISS

27 COMES NOW Plaintiff, LAS VEGAS DEVELOPMENT GROUP, LLC ("*LVDG*"), and
28

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Defendant, SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”), by and through their undersigned counsel, and hereby state as follows:

1. The instant action was filed by the Plaintiff to recover title and possession of real property commonly known as 1901 Fan Fare Drive, Las Vegas, Nevada 89032, Assessor Parcel No. 139-09-216-007 (“the “Property”).
2. Pursuant to its Complaint, Plaintiff alleges that a foreclosure sale related to the Property conducted by Wells Fargo Bank, N.A. was void and ineffective and that subsequent transfers of title to the Property were likewise void and ineffective. As a result, Plaintiff claims to continue to be the rightful owner of the Property.
3. HUD held record title to the Property for a period of time but does not claim any current interest in the Property.

Good cause appearing therefor, the parties stipulate and agree as follows:

1. On October 19, 2015, HUD filed a Motion to Dismiss herein [Doc. #21].
2. Pursuant to said Motion, HUD moves for the dismissal of Plaintiff’s Second Cause of Action for Unjust Enrichment and Fourth Cause of Action for Slander of Title.
3. Plaintiff’s Second Cause of Action for Unjust Enrichment and Fourth Cause of Action for Slander of Title shall be dismissed with prejudice as to HUD only.
4. HUD shall file a Disclaimer of Interest herein, disclaiming any and all interest in the Property. Upon the filing of said Disclaimer of Interest, the parties shall execute and file a Stipulation and Order dismissing the remainder of this action as it relates to HUD.

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- 1 5. HUD shall be bound by any judgment of this Court relating to the rights and title
- 2 of the various parties in and to the Property.
- 3 6. HUD shall retain all rights and claims that it may possess against any party to this
- 4 action.
- 5 7. HUD's Motion to Dismiss [Doc. #21] shall be withdrawn.

6 Dated this 25th day of November, 2015.

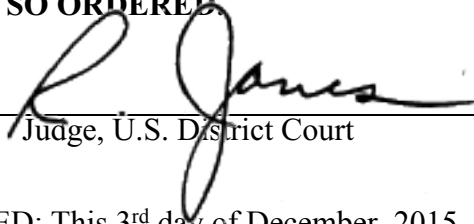
7 ROGER P. CROTEAU &
8 ASSOCIATES, LTD.

UNITED STATES ATTORNEY

9 /s/ Timothy E. Rhoda
10 TIMOTHY E. RHODA, ESQ.
11 Nevada Bar No. 7878
12 9120 West Post Road, Suite 100
13 Las Vegas, Nevada 89148
14 (702) 254-7775
15 croteaulaw@croteaulaw.com
16 Attorney for Plaintiff
17 **LAS VEGAS DEVELOPMENT GROUP,**
18 **LLC**

9 /s/ Troy K. Flake
10 TROY K. FLAKE, ESQ.
11 Assistant U.S. Attorney
12 333 Las Vegas Blvd So., Ste. 5000
13 Las Vegas, NV 89101-
14 702-388-6336
15 702-388-6787 (fax)
16 troy.flake@usdoj.gov
17 Attorney for Defendant
18 **SECRETARY OF THE DEPARTMENT**
19 **OF HOUSING AND URBAN**
20 **DEVELOPMENT**

IT IS SO ORDERED

By: 

Judge, U.S. District Court

DATED: This 3rd day of December, 2015.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of November, 2015, I served via the United States District Court CM/ECF electronic filing system, the foregoing **STIPULATION AND ORDER TO PARTIALLY DISMISS AS TO DEFENDANT, SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ONLY AND TO WITHDRAW MOTION TO DISMISS** to the following parties:

Terry A. Moore
Marquis & Aurbach
10001 Park Run Drive
Las Vegas, NV 89145
702-382-0711
tmoores@marquisaurbach.com
*Attorney for Defendants
Evergreen Moneysource Mortgage
Company and Roberto E. Steven*

Ryan A. Loosvelt
Holland & Hart
9555 Hillwood Dr.
2nd Floor
Las Vegas, NV 89134
702-669-4600
702-6694650 (fax)
raloosvelt@hollandhart.com
*Attorney for Defendant
US Bank National Association*

Troy K. Flake
United States Attorney
333 Las Vegas Blvd So., Ste. 5000
Las Vegas, NV 89101-
702-388-6336
702-388-6787 (fax)
troy.flake@usdoj.gov
*Attorney for Defendant
Secretary of the Department of
Housing and Urban Development*

Gregory L Wilde
Tiffany & Bosco P.A.
212 South Jones Blvd.
Las Vegas, NV 89107
(702) 258-8200
(702) 258-8787 (fax)
efileny@tblaw.com
*Attorney for Defendant
National Default Servicing Corporation*

/s/ Timothy E. Rhoda

An employee of ROGER P. CROTEAU &
ASSOCIATES, LTD.