

1 **ORD**

2 MICHAEL N. BEEDE, ESQ.
3 Nevada State Bar No. 13068

4 **THE LAW OFFICE OF MIKE BEEDE, PLLC**

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9 Attorney for Plaintiff

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 RJRN HOLDINGS LLC,

13 Plaintiff,

14 vs.

CASE NO. 2:15-cv-01257-JCM-NJK

15 RHONDA DAVIS; BAC HOME LOANS
16 SERVICING, LP, FKA COUNTRYWIDE
17 HOME LOANS SERVICING, LP;
18 CARRINGTON MORTGAGE SERVICES;
19 HACIENDA NORTH HOMEOWNERS'
20 ASSOCIATION; and DOES 1 through 10,
21 inclusive; ROE CORPORATIONS 1 through
22 10, inclusive,

23 Defendants,

24 **STIPULATION AND ORDER FOR DISMISSAL OF PARTY FOR AND DISCLAIMER OF FEES**

25 **AND ASSESSMENTS**

26 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, RJRN HOLDINGS
27 LLC and Defendant, HACIENDA NORTH HOMEOWNERS ASSOCIATION, by and through their
28 respective undersigned counsel of agree and stipulate as follows:

1. The property located at 5234 Fire Night Ave., Las Vegas, NV 89122, Assessor Parcel Number 161-28-316-025, ("Subject Property") is located within the HACIENDA NORTH HOMEOWNERS ASSOCIATION. (the "HOA").
2. The Subject Property is subject to the HOA's declarations ("CC&Rs") and NRS 116 *et seq.*

- 1 3. The HOA had a perfected lien for assessments pursuant to NRS 115.3116(5) which was
2 foreclosed upon on April 18, 2012.
- 3 4. Defendant agrees that as a result of the April 18, 2012 HOA lien foreclosure sale, all fees,
4 liens, assessments, or other amounts owed to the HOA were either paid or extinguished by
5 way of the foreclosure sale. Defendant further disclaims any right to seek payment for any
6 amounts which may have been assessed or come due prior to or on April 18, 2012. Any and
7 all notices of delinquent assessment liens recorded prior to April 18, 2012, are of no force or
8 effect against the Subject Property.
- 9 5. In the event that the current or future owner or owners of the Subject Property fail to pay
10 assessments as required by the CC&Rs, the HOA may enforce liens which are the result of
11 any failure to pay amounts which have come due after April 18, 2012 through foreclosure if
12 necessary, pursuant to the CC&Rs and NRS 116 *et seq.*
- 13 6. Each party shall bear their own attorney's fees.

14
15 DATED this 31st day of August, 2015.

16 BY: /s/ Elizabeth Lowell
17 ELIZABETH LOWELL, ESQ.
18 Pengilly Law Firm
19 1995 Village Center Circle #190
20 Las Vegas, NV 89134
21 Attorney for Defendant, HACIENDA NORTH
22 HOMEOWNERS ASSOCIATION

BY: 
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Attorney for Plaintiff, RJRN
HOLDINGS LLC

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ORDER

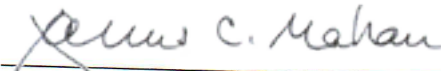
Pursuant to the foregoing Stipulation, and good cause showing therefore:

IT IS ORDERED that in the above-captioned and numbered matter, HACIENDA NORTH HOMEOWNERS ASSOCIATION, shall be dismissed from this action, and that shall disclaim any right to seek enforcement or payment from Plaintiffs or their successors for amounts which may have been due or assessed prior to April 18, 2012. All parties to bear their own attorneys'

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1 fees and costs.

2 DATED September 8, 2015.

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5 UNITED STATES DISTRICT JUDGE

6 Submitted by:

7 The Law Office of Mike Beede, PLLC

8 BY: 

9 Michael Beede, Esq.
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