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9
10 *Attorneys for Defendant*
Specialized Loan Servicing LLC

11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

13 SUZANNE L. WALSH,

14 Plaintiff,

15 v.

16 SPECIALIZED LOAN SERVICING LLC,

17 Defendants.

CASE NO. 2:15-cv-02353-GMN-GWF

[CASE NO. 2:15-cv-02354-GMN-GWF]

**STIPULATED MOTION TO STRIKE
AND REPLACE EXHIBITS FILED IN
SUPPORT OF MOTION TO DISMISS
OR, ALTERNATIVELY SEAL THE
EXHIBITS**

18
19 Suzanne L. Walsh and Specialized Loan Servicing LLC (“SLS”) request that
20 the Court strike and remove from the public docket the exhibits (Doc nos. 63-1, 63-2
21 and 63-3) SLS attached to its Motion To Dismiss (Doc. 63) and replace them with the
22 attached replacement exhibits. Alternatively, the parties request the Court seal the
23 documents so they are not viewable by the public.

24 The exhibits consist of letters Walsh sent to Experian that include her
25 Experian credit report and Experian’s response. These are documents Walsh alleges
26 as part of her complaint against SLS and are at the heart of the dispute.

27 While SLS redacted personal information from the exhibits, Walsh has
28 requested that some additional information be redacted under LR IC 6-1.

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The attached replacement exhibits contain additional redactions and consist only of an excerpt of the pages of the exhibit that are relevant to SLS's motion to dismiss. Walsh consents to SLS providing only excerpts.

For all of these reasons, the parties request the Court strike and remove from the public docket the exhibits filed at Doc nos. 63-1, 63-2 and 63-3 and replace them with the attached exhibits. Alternatively, the parties request the court to seal the Doc nos. 63-1, 63-2 and 63-3 so they are not viewable by the public.

Dated: October 13, 2016.

BALLARD SPAHR LLP

By: /s/ Matthew A. Morr
Matthew A. Morr (admitted *pro hac vice*)
BALLARD SPAHR LLP
1225 Seventeenth Street, Suite 2300
Denver, Colorado 80202-5596

Matthew D. Lamb
Nevada Bar No. 12991
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Las Vegas, Nevada 89106

Attorneys for Defendant
Specialized Loan Servicing LLC
KAZEROUNI LAW GROUP, APC

By: /s/ Michael Kind
Michael Kind, Esq.
7854 W. Sahara Avenue
Las Vegas, NV 89117

Attorneys for Plaintiff



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the 13th day of October, 2016, and pursuant to Fed. R. Civ. P. 5(b), I served **STIPULATED MOTION TO STRIKE AND REPLACE EXHIBITS FILED IN SUPPORT OF MOTION TO DISMISS OR, ALTERNATIVELY SEAL THE EXHIBITS** via CM/ECF to all counsel as listed on the CM/ECF-generated Notice of Electronic Filing to receive notice via electronic service in this matter:

Michael Kind
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Attorneys for Plaintiff

/s/ Robin E. Anderson
An Employee of Ballard Spahr LLP

EXHIBIT
Korb-10
ms 7/27/16

Suzanne L. Walsh

[Redacted]

Phone: 702 [Redacted] - [Redacted]

March 18, 2015

Via Certified Mail Return Receipt Requested

Experian
NCAC

[Redacted]

RE: Credit Report No. [Redacted]

To Whom it May Concern:

**CORRECT YOUR INACCURATE CREDIT REPORT INFORMATION
ABOUT ME**

Attached is a copy of my driver's license and other documentation to prove my identity. I have also listed my other identifying information below to assist you in identifying my credit report properly.

My Full Legal Name:	Suzanne L. Walsh
My Date of Birth:	12 [Redacted]
My Social Security No.:	[Redacted]
My Street Address:	[Redacted]
My City, State & Zip:	Las Vegas, [Redacted]
My Day & Eve Phone:	702- [Redacted]

The following items on my credit report are inaccurate. Please make the following corrections to my consumer credit report immediately and then send me a copy of the corrected consumer credit report:

Furnisher Name/Address:	CAPI/Cosco [REDACTED]
Furnisher Acct. No.:	[REDACTED]
Consumer Dispute:	<ul style="list-style-type: none"> • This account was discharged in my Bankruptcy which was filed on 4/30/2010 and discharged 8/26/2014, bearing docket No. 10-17987 in the District for Nevada. There should be no derogatory reporting after the filing date. Specifically, please remove the derogatory information for the following [REDACTED]
Action/Correction Requested:	<ul style="list-style-type: none"> • Immediately delete this account and the disputed derogatory information from my credit report. • The discharged debt should be reported with an account balance of \$0 with a status of "current". • Further, there should be no post-bankruptcy activity reported on this account. The date of last activity on this account should pre-date my bankruptcy filing date, 4/30/2010, since a default on this account occurred no later than the Bankruptcy filing date. • Any post-bankruptcy derogatory information should be immediately deleted from my report. • If you do not immediately delete this from my credit report, please include a 100 word statement in my credit report of all of the disputed information contained in this letter regarding this account.

Furnisher Name/Address:	Specialized Loan Servi [REDACTED]
Furnisher Acct. No.:	[REDACTED]
Consumer Dispute:	<ul style="list-style-type: none"> • This account was discharged in my Bankruptcy which was filed on 4/30/2010 and discharged 8/26/2014, bearing docket No. 10-17987 in the District for Nevada. The balance on this account should be "\$0" and the status should be reporting as "current". Specifically, you show balances from Sep14 – Oct14.
Action/Correction Requested:	<ul style="list-style-type: none"> • Immediately delete this account and the disputed derogatory information from my credit report. • The discharged debt should be reported with an account balance of \$0 with a status of "current". • Further, there should be no post-bankruptcy activity reported on this account. The date of last activity on this account should pre-date my bankruptcy filing date, 4/30/2010, since a default on this account occurred no later than the Bankruptcy filing date. • Any post-bankruptcy derogatory information should be immediately deleted from my report. • If you do not immediately delete this from my credit report, please include a 100 word statement in my credit report of all of the disputed information contained in this letter regarding this account.



Prepared for: SUZANNE LOUISE WALSH
Date: April 28, 2015
Report number: [REDACTED]

Page 1 of 26

Dear SUZANNE LOUISE WALSH,

To assist you in understanding your correction summary, we have provided additional information that relates directly to items on your personal credit report.

US BKPT CT NV LAS VEGAS
[REDACTED]

PLEASE REFER TO YOUR CREDIT REPORT FOR UPDATE.-

OTHER ITEMS DISPUTED ARE NOT CURRENTLY DISPLAYING ON YOUR PERSONAL CREDIT REPORT:-

As a national consumer credit reporting agency, we collect and store information from credit grantors and information available in public records, following the guidelines in the Fair Credit Reporting Act.

When you use credit, a record of your payment history is stored along with the respective account. The monthly payments leading up to a bankruptcy discharge tells that account's history. Unless the history is inaccurate, it cannot be deleted. Accounts included in a bankruptcy (other than those under Chapter 13) will no longer indicate that a balance is owed.

Any account included in a bankruptcy remains on the personal credit report for a maximum of seven years from the date the bankruptcy was either filed or discharged.

The bankruptcy itself, listed in the public record information section of the credit report, remains for seven years from the filing date if it was a Chapter 13, or 10 years from the filing date if it was a Chapter 7, 11 or 12.

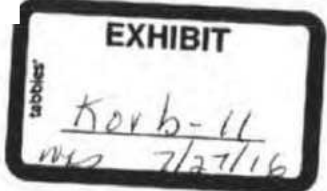
You requested that we add a statement of continued dispute to your credit file regarding an item that has not been previously disputed. We are currently processing your dispute, and you will receive the results of that process within 30 days, or within 45 days for disputes of information in an annual free credit report.

If you still do not agree with the outcome after you receive your results, you may then request a dispute statement to be added. Please contact us again if you still wish to add the statement after you receive the results of the dispute process.

[REDACTED]
SUZANNE LOUISE WALSH

PO Box 9701
Allen, TX 75013

0021498030



www.experian.com

Page 2 of 26

Prepared for: SUZANNE LOUISE WALSH
Date: April 28, 2015
Report number: [REDACTED]

EXP/SWalsh 000086

Sincerely,

Experian
NCAC

[REDACTED]

0021498030

www.experian.com

Prepared for: SUZANNE LOUISE WALSH
Date: April 28, 2015
Report number: [REDACTED]

Page 3 of 26

Dispute results

About our dispute process

This summary shows the revision(s) made to your credit file as a result of our processing of your dispute. If you still question an item, then you may want to contact the furnisher of the information directly or review the original information in the public record.

The federal Fair Credit Reporting Act provides that you may:

- request a description of how we processed your dispute, including the business name and address of any furnisher of information contacted in connection with such information and the telephone number if reasonably available;
- add a statement disputing the accuracy or completeness of the information; and
- request that we send these results to organizations who have requested your credit report in the past two years for employment purposes or six months for any other purpose.

If no information follows, our response appeared on the previous page.

How to read your results

Deleted - This item was removed from your credit report

Remains - This item was not changed as a result of our processing of your dispute

Updated - A change was made to this item;

review this report to view the change. If

ownership of the item was disputed, then it was verified as belonging to you

Processed - This item was either updated or deleted; review this report to learn its outcome

Results

We have completed the processing of your dispute(s). Here are the results:

Credit items	Outcome
[REDACTED]	Updated
[REDACTED]	Updated
[REDACTED]	Updated
[REDACTED]	Updated
[REDACTED]	Updated
SPECIALIZED LOAN SERVI	Updated
[REDACTED]	Updated
[REDACTED]	Updated

What's your credit score?

Find out by ordering your VantageScore® from Experian for only \$7.95. To order, call 1 888 322 5583.

By law, we cannot disclose certain medical information (relating to physical, mental, or behavioral health or condition). Although we do not generally collect such information, it could appear in the name of a data furnisher (i.e. "Cancer Center") that reports your payment history to us. If so, those names display on your report, but on reports to others, they display only as MEDICAL PAYMENT DATA. Consumer statements included on your report at your request that contain medical information are disclosed to others.

www.experian.com

Prepared for: SUZANNE LOUISE WALSH
Date: April 28, 2015
Report number: [REDACTED]

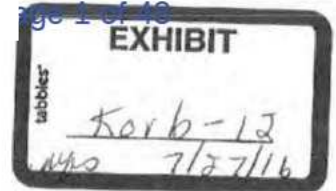
Page 4 of 26

EXP/SWalsh 000088

<i>Credit items continued</i>	Outcome
[REDACTED]	Updated
[REDACTED]	Updated
[REDACTED]	Updated
[REDACTED]	Updated
TOYOTA MOTOR CREDIT CO	Updated

Visit experian.com/status to check the status of your pending disputes at any time

0021498030



Suzanne L. Walsh



Phone: [Redacted]

July 8, 2015

Via Certified Mail Return Receipt Requested

**Experian
NCAC**



**RE: Credit Report No. [Redacted]
Reinvestigation Report No. [Redacted]**

To Whom it May Concern:

Attached is a copy of my driver's license and other documentation to prove my identity. I have also listed my other identifying information below to assist you in identifying my credit report properly.

My Full Legal Name:	Suzanne L. Walsh
My Date of Birth:	[Redacted]
My Social Security No.:	[Redacted]
My Street Address:	[Redacted]
My City, State & Zip:	Las Vegas, [Redacted]
My Day & Eve Phone:	[Redacted]

On 02/11/2015 your company provided me with a consumer credit report with the above number. I identified several derogatory items which were being misreported and on 03/18/2015 I mailed your company a dispute request to take corrective action, which I have attached hereto. Your company thereafter mailed me a reinvestigation report on 04/28/2015 (the "Reinvestigation Report", which is also attached hereto).

The following items on my *Reinvestigation Report* were inaccurate. Please make the following corrections to my consumer credit report immediately and then send me a copy of the corrected consumer credit report. Please also ensure that any and all attachments are forwarded to the furnisher:

INCORRECT FURNISHER ACCOUNT INFORMATION

The following Furnisher Account information listed on my credit report is incorrect:

Furnisher Name/Address:	Toyota Motor Credit Corp [REDACTED]
Furnisher Acct. No.:	[REDACTED]....
Consumer Dispute:	<ul style="list-style-type: none"> • This account was discharged in my Bankruptcy which was filed on 4/30/2010 and discharged 8/26/2014, bearing docket No. 10-17987 in the District for Nevada. There should be no derogatory reporting after the filing date. Specifically, please remove the derogatory information for [REDACTED]
Action/Correction Requested:	<ul style="list-style-type: none"> • Immediately delete this account and the disputed derogatory information from my credit report. • The discharged debt should be reported with an account balance of \$0 with a status of "current". • Further, there should be no post-bankruptcy activity reported on this account. The date of last activity on this account should pre-date my bankruptcy filing date, 4/30/2010, since a default on this account occurred no later than the Bankruptcy filing date. • Any post-bankruptcy derogatory information should be immediately deleted from my report. • If you do not immediately delete this from my credit report, please include a 100 word statement in my credit report of all of the disputed information contained in this letter regarding this account.

Thank you and I look forward to your immediate reply.

Sincerely,

Suzanne L. Walsh

Suzanne L. Walsh
Enclosures

Suzanne L. Walsh

Phone: [REDACTED]

July 8, 2015

Via Certified Mail Return Receipt Requested

Experian
NCAC

RE: Credit Report No. [REDACTED]
Reinvestigation Report No. [REDACTED]

To Whom it May Concern:

Attached is a copy of my driver's license and other documentation to prove my identity. I have also listed my other identifying information below to assist you in identifying my credit report properly.

My Full Legal Name:	Suzanne L. Walsh
My Date of Birth:	[REDACTED]
My Social Security No.:	[REDACTED]
My Street Address:	[REDACTED]
My City, State & Zip:	Las Vegas, [REDACTED]
My Day & Eve Phone:	[REDACTED]

On 02/11/2015 your company provided me with a consumer credit report with the above number. I identified several derogatory items which were being misreported and on 03/18/2015 I mailed your company a dispute request to take corrective action, which I have attached hereto. Your company thereafter mailed me a reinvestigation report but **failed to investigate** the following disputed information/accounts. Please immediately review the following incorrect account information and take corrective action.

Page 1

Suzanne L. Walsh

SSN: [REDACTED]

SLS 15cv02353 00005

The following items on my credit report were inaccurate. Please make the following corrections to my consumer credit report immediately and then send me a copy of the corrected consumer credit report. Please also ensure that any and all attachments are forwarded to the furnisher:

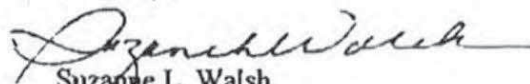
INCORRECT FURNISHER ACCOUNT INFORMATION

The following Furnisher Account information listed on my credit report is incorrect:

Furnisher Name/Address:	CAPI/Cosco [REDACTED]
Furnisher Acct. No.:	[REDACTED] 2011....
Consumer Dispute:	<ul style="list-style-type: none"> You failed to reinvestigate the disputed information. On 03/18/2015, I mailed you a dispute regarding this account. Specifically, I wrote "This account was discharged in my Bankruptcy which was filed on 4/30/2010 and discharged 8/26/2014, bearing docket No. 10-17987 in the District for Nevada. There should be no derogatory reporting after the filing date. Specifically, please remove the derogatory information for the following [REDACTED]
Action/Correction Requested:	<ul style="list-style-type: none"> Immediately delete this account and the disputed derogatory information from my credit report. The discharged debt should be reported with an account balance of \$0 with a status of "current". Further, there should be no post-bankruptcy activity reported on this account. The date of last activity on this account should pre-date my bankruptcy filing date, 4/30/2010, since a default on this account occurred no later than the Bankruptcy filing date. Any post-bankruptcy derogatory information should be immediately deleted from my report. If you do not immediately delete this from my credit report, please include a 100 word statement in my credit report of all of the disputed information contained in this letter regarding this account.

Thank you and I look forward to your immediate reply.

Sincerely,



Suzanne L. Walsh

Enclosures

Suzanne L. Walsh

Las Vegas, [REDACTED]

Phone: [REDACTED]

March 18, 2015

Via Certified Mail Return Receipt Requested

Experian

NCAC

RE: Credit Report No. [REDACTED]

To Whom it May Concern:

**CORRECT YOUR INACCURATE CREDIT REPORT INFORMATION
ABOUT ME**

Attached is a copy of my driver's license and other documentation to prove my identity. I have also listed my other identifying information below to assist you in identifying my credit report properly.

My Full Legal Name:	Suzanne L. Walsh
My Date of Birth:	[REDACTED]
My Social Security No.:	[REDACTED]
My Street Address:	[REDACTED]
My City, State & Zip:	Las Vegas, [REDACTED]
My Day & Eve Phone:	[REDACTED]

The following items on my credit report are inaccurate. Please make the following corrections to my consumer credit report immediately and then send me a copy of the corrected consumer credit report: