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 8 *Association*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 FEDERAL NATIONAL MORTGAGE
 12 ASSOCIATION,

13 Plaintiff,

14 vs.

15 CANYON WILLOW OWNERS'
 ASSOCIATION, a Nevada non-profit
 16 corporation; and LN MANAGEMENT LLC
 SERIES 3085 CASEY 201, a Nevada Limited
 Liability Company,

17 Defendants.

Case No.: 2:16-cv-00203-JCM-CWF

STIPULATION AND ORDER
(1) REGARDING DISPOSITION OF
REMAINING CLAIMS FOR RELIEF,
(2) CANCELLING AND EXPUNGING
LIS PENDENS, AND (3) RELEASING
CASH DEPOSIT

19 *This Stipulation Regarding Disposition of Remaining Claims For Relief, Cancelling and*
 20 *Expunging Lis Pendens, and Releasing Cash Deposit ("Stipulation") is entered into as of the date*
 21 *below by and among FEDERAL NATIONAL MORTGAGE ASSOCIATION ("Fannie Mae"),*
 22 *by and through its counsel, Snell & Wilmer L.L.P.; CANYON WILLOW OWNERS'*
 23 *ASSOCIATION (the "HOA"), by and through its counsel, GORDON & REES LLP; and LN*
 24 *MANAGEMENT LLC SERIES 3085 CASEY 201 ("LN Management"), by and through its*
 25 *counsel, KERRY P. FAUGHNAN, ESQ., based on the following facts:*

26 WHEREAS, the Court entered an Order on January 4, 2018 [ECF No. 59] granting Fannie
 27 Mae's Motion for Summary Judgment [ECF No. 36.] (the "Order");

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1 WHEREAS, pursuant to the Order, the Court granted Fannie Mae’s claims for declaratory
2 relief and quiet title pursuant to 12 U.S.C. § 4617(j)(3); and

3 WHEREAS, the Order did not address the remaining claims for relief.

4 NOW, THEREFORE, the Parties stipulate and agree as follows:

5 1. Fannie Mae’s claims for wrongful foreclosure, violation of NRS 116.1113 *et seq.*,
6 and unjust enrichment shall be dismissed, without prejudice;

7 2. All lis pendens recorded against the Property, including, but not limited to, the
8 Notice of Lis Pendens recorded on or about June 12, 2013 as Document No. 201306120002477,
9 and the Notice of Lis Pendens recorded on or about August 14, 2013 as Document No.
10 201308140001609, shall be cancelled and expunged of record;

11 3. The cash deposit in the amount of \$500.00, tendered to the Clerk of Court on or
12 about August 5, 2016, shall be refunded to “Federal National Mortgage Association” c/o
13 Alex L. Fugazzi, Esq., Snell & Wilmer L.L.P., 3883 Howard Hughes Parkway, Suite 1100,
14 Las Vegas, Nevada 89169 upon entry of this Stipulation;

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1 4. Each of the parties shall bear their or its own attorneys' fees and costs of this
2 lawsuit; and

3 5. No further matters remain pending in this matter.¹

4 DATED this 6th day of February 2018.

DATED this 6th day of February 2018.

5 SNELL & WILMER L.L.P.

GORDON & REES LLP

6 /s/ Jennifer L. McBee
7 Amy F. Sorenson (NV Bar No. 12495)
8 Alex Fugazzi (NV Bar No. 9022)
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15 Association*

/s/ Robert S. Larsen
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*Attorneys for Canyon Willow Owners'
Association*

12 DATED this 6th day of February 2018.

13 /s/ Kerry P. Faughnan
14 Kerry P. Faughnan (NV Bar No. 12204)
15 P.O. Box 335361
16 Las Vegas, Nevada 89033
17 Phone: (702) 301-3096
18 Fax: (702) 331-4222
19 *Attorneys for LN Management LLC Series 3085
20 Casey 201*

ORDER

IT IS SO ORDERED.

James C. Mahan
UNITED STATES DISTRICT JUDGE

DATED: February 7, 2018

¹ In light of the disposition of Fannie Mae's claims for declaratory relief and quiet title pursuant to 12 U.S.C. § 4617(j)(3), the district court need not have reached Fannie Mae's claims for declaratory relief and quiet title under Amendments V and XIV of the U.S. Constitution.

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CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2018, I electronically filed the foregoing **STIPULATION AND ORDER (1) REGARDING DISPOSITION OF REMAINING CLAIMS FOR RELIEF, (2) CANCELLING AND EXPUNGING LIS PENDENS, AND (3) RELEASING CASH DEPOSIT** with the Clerk of Court for the U.S. District Court, District of Nevada by using the Court's CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED this 6th day of February 2018.


An Employee of Snell & Wilmer L.L.P.

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