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9  
 10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

12 BANK OF AMERICA, N.A., successor by  
 merger TO BAC HOME LOANS  
 13 SERVICING, LP, FKA COUNTRYWIDE  
 HOME LOANS SERVICING, LP,

14 Plaintiff,

15 vs.

16 FALCON POINTE ASSOCIATION; SFR  
 INVESTMENTS POOL 1, LLC; and RED  
 17 ROCK FINANCIAL SERVICES, LLC,

18 Defendants.

19 SFR INVESTMENTS POOL 1, LLC, a  
 Nevada limited liability company,

20 Counter/Cross Claimant,

21 vs.

22 BANK OF AMERICA, N.A., successor by  
 merger TO BAC HOME LOANS  
 23 SERVICING, LP, FKA COUNTRYWIDE  
 HOME LOANS SERVICING, LP; MELANIE  
 24 GIESE, an individual; and MARK COWENS,  
 an individual,

25 Counter/Cross Defendants.  
 26  
 27  
 28

Case No. 2:16-cv-00814-GMN-CWH

**ORDER GRANTING MOTION TO SERVE  
 MELANIE GIESE BY PUBLICATION**

**-and-**

**ORDER GRANTING MOTION TO  
 ENLARGE TIME TO SERVE SUMMONS  
 AND CROSS-CLAIM**

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1 Upon reading the Affidavit of Due Diligence; it appearing that an Answer, Counterclaim,  
2 and Cross-Claim has been filed; that a Summons directed to Cross-Defendant, MELANIE GIESE  
3 (“Giese”) has been issued [ECF No. 30]; that Cross-Defendant, Giese is a necessary party; and  
4 that Cross-Defendant Cowens cannot be found to be personally served in the State of Nevada, and  
5 good cause appearing therefore,

6 **IT IS HEREBY ORDERED** that since the Cross-Defendant, MELANIE GIESE, cannot  
7 now be found so as to be personally served, he may be served by publication of the Summons at  
8 least once a week for four (4) weeks in the Nevada Legal News, a newspaper of general circulation,  
9 pursuant to FRCP 4(e)(1) and NRCP 4(e)(1).

10 **IT IS FURTHER ORDERED** that a copy of the Summons and Answer, Counterclaim,  
11 and Cross-Claim shall be mailed forthwith to Cross-Defendant Giese, first class mail, postage  
12 prepaid, addressed to the Cross-Defendant’s last known address.

13 **IT IS FURTHER ORDERED** that SFR’s Motion to Enlarge Time to Serve is GRANTED  
14 and the time for service is extended by an additional 60 days from the date of this order is entered  
15 to allow SFR Investments Pool 1, LLC (“SFR”) to effectuate service by publication.

16  
17 Dated this \_\_\_\_ day of **IT IS SO ORDERED.**

18 DATED: September 19,  
19 2016

20 Submitted by:

21 **KIM GILBERT EBRON**

22 C.W. HOFFMAN, JR.  
23 UNITED STATES MAGISTRATE JUDGE

24 /s/Jacqueline A. Gilbert  
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