

Snell & Wilmer  
LLP  
LAW OFFICES  
50 West Liberty Street, Suite 510  
Reno, Nevada 89501  
775-785-5440

Jeffrey Willis, Esq.  
Nevada Bar No. 4797  
Wayne Klomp, Esq.  
Nevada Bar No. 10109  
SNELL & WILMER L.L.P.  
50 West Liberty Street, Suite 510  
Reno, Nevada 89501  
Telephone: 775-785-5440  
Facsimile: 775-785-5441  
Email: [jwillis@swlaw.com](mailto:jwillis@swlaw.com)  
[wklomp@swlaw.com](mailto:wklomp@swlaw.com)

*Attorneys for Plaintiff and Counter-  
Defendant Wells Fargo Financial Nevada 2,  
Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WELLS FARGO FINANCIAL NEVADA 2,  
INC., a domestic corporation,

Plaintiff,

vs.

THE EAGLE AND THE CROSS LLC, a  
foreign limited-liability company; SUSAN  
PATCHEN, an individual; SUNRISE VILLAS  
V HOMEOWNERS' ASSOCIATION, a  
Nevada non-profit coop corporation; NEVADA  
ASSOCIATION SERVICES, INC., a Nevada  
corporation;

Defendants.

Case No. 2:16-cv-01775-JCM-GWF

**STIPULATION AND ORDER FOR  
DISMISSAL WITHOUT PREJUDICE  
OF SUNRISE VILLAS V  
HOMEOWNERS' ASSOCIATION**

AND ALL RELATED ACTIONS

This Stipulation and Order for Dismissal without Prejudice of Sunrise Villas V Homeowners' Association ("Stipulation") is entered into as of the date below by and between Wells Fargo Financial Nevada 2, Inc., ("Wells Fargo") and Sunrise Villas V Homeowners' Association ("Sunrise Villas" and collectively with Wells Fargo, the "Parties"). The Parties

1 hereby stipulate and agree as follows:

2 WHEREAS, the above-captioned action concerns an NRS 116 foreclosure sale involving  
3 that real property in Clark County, Nevada with APN 163-13-713-005, commonly known as  
4 3156 Sonata Drive, Las Vegas, Nevada 89121 (the "Property");

5 WHEREAS, the Plaintiff filed this action on July 26, 2016, and alleges several causes of  
6 action against Sunrise Villas; and

7 WHEREAS, Sunrise Villas disclaims any interest in title to the Property.

8 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that:

9 1. Sunrise Villas shall be bound by any non-monetary final order, judgment, or  
10 decree as to the disposition of the Property and the validity of the NRS 116 foreclosure sale of  
11 the Property.

12 2. The Complaint is dismissed without prejudice as to Sunrise Villas only, with each  
13 party to bear their own fees/costs.

14 3. Any statute of limitations for the causes of action asserted against Sunrise Villas,  
15 which Sunrise Villas may allege have expired since the Complaint was filed on July 26, 2016,  
16 shall be tolled as of the filing date until this litigation is fully and finally resolved.

17 4. Sunrise Villas represents that it has produced all documents in its possession  
18 related to the litigation and the Property. To the extent additional documents are discovered,  
19 Sunrise Villas agrees to produce those documents to the parties remaining in the litigation.

20 5. Upon proper notice by Plaintiff in accord with the Federal Rules of Civil  
21 Procedure, Sunrise Villas shall make available a knowledgeable witness for deposition limited to  
22 the claims and defenses of the parties remaining in the litigation as those claims and defenses  
23 relate to the assessment lien foreclosure sale of the Property, and subject to any and all  
24 applicable objections. Sunrise Villas shall be provided 30 days' notice of the deposition, and an  
25 opportunity to coordinate with all remaining Parties concerning a mutually convenient time, date  
26 and location of such deposition.

27 6. The Parties reserve any and all rights, privileges, and defenses under applicable  
28 law.

Wherefore, the undersigned request this Court enter an Order granting the above stipulation.

Dated: July 13, 2017.

Dated: July 13, 2017.

BOYACK ORME & ANTHONY

SNELL & WILMER L.L.P.

By: /s/ Colli McKiever

By: /s/ Wayne Klomp

Colli McKiever, Esq.  
Nevada Bar No. 13724  
401 N. Buffalo Drive, Suite #202  
Las Vegas, Nevada 89145  
Telephone: (702) 562-3415  
Facsimile: (702) 562-3570

Jeffrey Willis, Esq.  
Nevada Bar No. 4797  
Wayne Klomp, Esq.  
Nevada Bar No. 10109  
50 West Liberty Street, Suite 510  
Reno, Nevada 89501

*Attorneys for Sunrise Villas V Homeowners'  
Association*

*Attorneys for Wells Fargo Financial Nevada 2,  
Inc.*

**IT IS SO ORDERED.**

  
UNITED STATES DISTRICT JUDGE

DATED: July 17, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing 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: July 13, 2017

/s/ Lara J. Taylor  
An Employee of Snell & Wilmer L.L.P.