

1 Abran E. Vigil  
 Nevada Bar No. 7548  
 2 Justin A. Shiroff  
 Nevada Bar No. 12869  
 3 BALLARD SPAHR LLP  
 1980 Festival Plaza Drive, Suite 900  
 4 Las Vegas, Nevada 89135-2958  
 Telephone: (702) 471-7000  
 5 Facsimile: (702) 471-7070  
 E-Mail: [vigila@ballardspahr.com](mailto:vigila@ballardspahr.com)  
 6 E-Mail: [shiroffj@ballardspahr.com](mailto:shiroffj@ballardspahr.com)

7 *Attorneys for Wilmington Trust, NA,*  
*Successor Trustee to Citibank, N.A.,*  
 8 *as Trustee, for the Benefit of*  
*Registered Holders of Structured*  
 9 *Asset Mortgage Investments II Trust*  
*2007-AR3, Mortgage Pass-Through*  
 10 *Certificates, Series 2007-AR3*

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

BALLARD SPAHR LLP  
 1980 FESTIVAL PLAZA DRIVE, SUITE 900  
 LAS VEGAS, NEVADA 89135-2958  
 (702) 471-7000 FAX (702) 471-7070

13 WILMINGTON TRUST, NA, SUCCESSOR  
 TRUSTEE TO CITIBANK, N.A., AS  
 14 TRUSTEE, FOR THE BENEFIT OF  
 REGISTERED HOLDERS OF  
 15 STRUCTURED ASSET MORTGAGE  
 INVESTMENTS II TRUST 2007-AR3,  
 16 MORTGAGE PASS-THROUGH  
 CERTIFICATES, SERIES 2007-AR3,

CASE NO. 2:16-cv-02090-RFB-NJK

17 Plaintiff,

**STIPULATION AND ORDER TO 1)  
 DISMISS CLAIMS BETWEEN  
 JPMORGAN CHASE BANK, N.A.,  
 PALM CREEK COMMUNITY  
 ASSOCIATION, AND SFR  
 INVESTMENTS POOL 1, LLC  
 WITH PREJUDICE; AND 2) LIFT  
 STAY ENTERED MAY 22, 2017**

18 vs.

19 SFR INVESTMENTS POOL 1, LLC, a  
 20 Nevada limited liability company; PALM  
 CREEK COMMUNITY ASSOCIATION,  
 21 INC., a Nevada non-profit corporation, and  
 NEVADA ASSOCIATION SERVICES,  
 22 INC.,

23 Defendants.

24 SFR INVESTMENTS POOL 1, LLC, a  
 25 Nevada limited liability company,

26 Counter/Cross Claimant,

27 vs.

28 WILMINGTON TRUST, NA, SUCCESSOR  
 TRUSTEE TO CITIBANK, N.A., AS

1 TRUSTEE, FOR THE BENEFIT OF  
2 REGISTERED HOLDERS OF  
3 STRUCTURED ASSET MORTGAGE  
4 INVESTMENTS II TRUST 2007-AR3,  
MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2007-AR3; and  
CURTIS PRICE, and individual.,

5 Counter/Cross Defendants.

6 Pursuant to Local Rules LR IA 6-1 and LR 26-4, Plaintiff/Counter-defendant,  
7 Wilmington Trust, N.A., Successor Trustee to Citibank, N.A., as Trustee for the  
8 Benefit of Registered Holders of Structured Asset Mortgage Investment II Trust  
9 2007-AR3, Mortgage Pass-Through Certificates, Series 2007-AR3 (“Wilmington  
10 Trust”), Defendant/Counter-claimant/Cross-claimant SFR Investments Pool 1, LLC  
11 (“SFR”), and Defendant Palm Creek Community Association (the “Association”)  
12 (collectively, the “Parties”) hereby stipulate as follows:

13 1. This action concerns title to real property commonly known as 5691  
14 Sentry Palm Court., Las Vegas, Nevada (“Property”) following a homeowner’s  
15 association foreclosure sale conducted on November 2, 2012, with respect to the  
16 Property.

17 2. As it relates to the Parties, a dispute arose regarding that certain Deed  
18 of Trust recorded against the Property in the Official Records of Clark County,  
19 Nevada as Instrument Number 20061219-0004040 (“Deed of Trust”), and in  
20 particular, whether the Deed of Trust continues to encumber the Property.

21 3. The Parties to this Stipulation have settled and agreed to release their  
22 respective claims, and further agreed that the claims between them, including the  
23 Complaint and Counterclaim, shall be DISMISSED with prejudice;

24 4. This Stipulation in no way affects SFR’s cross-claim against Curtis  
25 Price;

26 5. The Parties further stipulate and agree that the \$500 in security costs  
27 posted by the Trustee on November 9, 2016 pursuant to this Court’s Order [ECF  
28 No. 18] shall be discharged and released to the Ballard Spahr LLP Trust Account;

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6. The Parties further stipulate and agree that the Lis Pendens recorded against the Property in the Official Records of Clark County, Nevada, as Instrument Number 201612070001423 be, and the same hereby is, EXPUNGED;

7. The Parties further stipulate and agree that a copy of this Stipulation and Order may be recorded with the Clark County Recorder;

8. The Parties further agree to lift the stay entered May 22, 2017 [ECF No. 48];

9. This case shall remain open until such time as SFR resolves its pending cross-claim against Curtis Price; and

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10. Each party in this case number 2:16-cv-02090-RFB-NJK shall bear its own attorneys' fees and costs.

Dated: December 10, 2018

BALLARD SPAHR LLP  
By: /s/ Justin A. Shiroff  
Abran E. Vigil, Esq.  
Nevada Bar No. 7548  
Justin A. Shiroff, Esq.  
Nevada Bar No. 12869  
1980 Festival Plaza Drive, Suite 900  
Las Vegas, Nevada 89135-2958

*Attorneys for Plaintiff*


KIM GILBERT EBRON.  
By: /s/ Jacqueline A. Gilbert  
Diana S. Ebron, Esq.  
Nevada Bar No. 10580  
Jacqueline A. Gilbert, Esq.  
Nevada Bar No. 10593  
Karen L. Hanks, Esq.  
Nevada Bar No. 9578  
7625 Dean Martin Dr., Suite 110  
Las Vegas, Nevada 89139

*Attorney for Defendant SFR  
Investments Pool 1, LLC*

LEACH JOHNSON SONG & GRUCHOW  
By: /s/ T. Chase Pittsenbarger  
Sean L. Anderson, Esq.  
Nevada Bar No. 7259  
T. Chase Pittsenbarger, Esq.  
Nevada Bar No. 13740  
8945 W. Russell Road, Suite 330  
Las Vegas, Nevada 89148

*Attorneys for Palm Creek Community  
Association*

IT IS SO ORDERED.

  
\_\_\_\_\_  
RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

DATED this 11th day of December, 2018.