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JPMorgan Chase Bank, N.A.

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 SHIREHAMPTON DRIVE TRUST,

13 Plaintiff,

14 v.

15 JPMORGAN CHASE BANK, NATIONAL
16 ASSOCIATION; MTC FINANCIAL INC.
17 DBA TRUSTEE CORPS; LOUISA
18 OAKENELL; and UNITED STATES OF
19 AMERICA TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,

20 Defendants.

CASE NO.: 2:16-cv-02276-RFB-EJY

**ORDER VOIDING FEBRUARY 7, 2013
ESSEX AT HUNTINGTON
HOMEOWNERS ASSOCIATION
FORECLOSURE SALE AND
RESULTING FORECLOSURE DEED
(CLARK COUNTY RECORDER'S
INSTRUMENT 201302070002082)**

21
22 AND RELATED COUNTERCLAIMS.
23

24 On September 30, 2023, the Court filed an Order in this action. See ECF No. 93, a copy
25 of which is attached hereto as Exhibit A. In the Order, the Court granted Defendant-Counter
26 Claimant JPMorgan Chase Bank, National Association's ("Chase") Post-Remand Motion for
27 Summary Judgment (ECF No. 82) finding that the Essex at Huntington Homeowner
28 Association lien foreclosure sale occurring on January 28, 2013 regarding the real property

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1 located at 705 Shirehampton Drive, Las Vegas, Nevada 89178 (APN 176-18-613-028) (the
2 “Property”) was void. *See* Order at p. 14. This Court further ordered Chase to submit a
3 proposed order for filing with state officials by October 13, 2023 (*see* Order at p. 15) and this
4 order is the result of that directive.

5 Pursuant to the Order, and good cause appearing,

6 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that the Essex at
7 Huntington Homeowners Association lien foreclosure sale conducted on January 28, 2013
8 with respect to the Property, pursuant to that certain Notice of Foreclosure Sale recorded in the
9 Official Records of the Clark County, Nevada Recorder on September 18, 2012 as Instrument
10 No. 201209180000664, is null and void and set aside for all purposes and is of no further force
11 and effect;

12 **IT IS FURTHER ORDERED ADJUDGED AND DECREED** that the Foreclosure
13 Deed recorded in the Official Records of the Clark County, Nevada Recorder against the
14 Property on February 7, 2013 as Instrument No. 201302070002082, and rerecorded on March
15 27, 2013 as Instrument No. 201303270002898, is null and void, is of no further force and effect,
16 and the Clark County, Nevada Recorder is directed to expunge the Foreclosure Deed from its
17 Official Records;

18 **IT IS FURTHER ORDERED ADJUDGED AND DECREED** that title to the
19 Property is hereby returned to the *status quo ante*, as if the January 28, 2013 lien foreclosure
20 sale had not occurred; and,

21 **IT IS FURTHER ORDERED ADJUDGED AND DECREED** that this Order shall
22 be recorded in the Official Records of the Clark County, Nevada Recorder to further effectuate
23 the rulings and directives of this Court as contained in the Order (ECF No. 93).
24
25

26 IT IS SO ORDERED:

27 

28 _____
UNITED STATES DISTRICT JUDGE
DATED: October 23, 2023

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Submitted By:
SMITH LARSEN & WIXOM

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