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10 *Attorneys for U.S. Bank National Association, as Trustee on Behalf of the Holders of the Credit*
 11 *Suisse First Boston Mortgage Securities Corp. Home Equity*
 12 *Pass-Through Certificates, Series 2006-8*

13 **UNITED STATES DISTRICT COURT**
 14 **DISTRICT OF NEVADA**

15 U.S. BANK NATIONAL ASSOCIATION, AS
 16 TRUSTEE, ON BEHALF OF THE HOLDERS
 17 OF THE CREDIT SUISSE FIRST BOSTON
 18 MORTGAGE SECURITIES CORP. HOME
 19 EQUITY PASS THROUGH CERTIFICATES,
 20 SERIES, 2006-8,

21 Plaintiff,

22 vs.

23 SFR INVESTMENTS POOL 1, LLC, a
 24 domestic entity; and PAINTED DESERT
 25 COMMUNITY ASSOCIATION, a Nevada
 26 non-profit corporation,

27 Defendant.

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

Counter/Cross-Claimant,

vs.

U.S. BANK NATIONAL ASSOCIATION, AS
 TRUSTEE, ON BEHALF OF THE HOLDERS
 OF THE CREDIT SUISSE FIRST BOSTON
 MORTGAGE SECURITIES CORP. HOME
 EQUITY PASS THROUGH CERTIFICATES,
 SERIES, 2006-8; and JOHN PAUL
 ROBERTSON, an individual,

Case No.: 2:16-cv-02394-JAD-GWF

**STIPULATION AND ORDER TO
 DISMISS SFR INVESTMENTS POOL 1,
 LLC WITH PREJUDICE**

ECF No. 45

1 Counter/Cross-Defendants.

2
3 Pursuant to Fed. R. Civ. P. 41(a) and LR IA 6-2, Plaintiff/Counter/Cross-Defendant, U.S.
4 Bank National Association, as Trustee on Behalf of the Holders of the Credit Suisse First Boston
5 Mortgage Securities Corp. Home Equity Pass-Through Certificates, Series 2006-8 (“Plaintiff”)
6 and Defendant/Counter/Cross-Claimant, SFR Investments Pool 1, LLC (“SFR”) (collectively the
7 “Parties”), by and through their respective undersigned counsel of record, hereby stipulate to and
8 agree, as follows:
9

- 10
- 11 1. This action concerns title to real property commonly known as 7921 Aspect Way, Las
12 Vegas, Nevada 89149 (“Property”) following a homeowner’s association foreclosure
13 sale conducted on April 18, 2014, with respect to the Property.
 - 14 2. As it relates to the Parties, a dispute arose regarding that certain Deed of Trust
15 recorded against the Property in the Official Records of Clark County, Nevada as
16 Instrument Number 20060531-0003965 (“Deed of Trust”), and in particular, whether
17 the Deed of Trust continues to encumber the Property.
18
 - 19 3. This Stipulation and Order is the result of a compromise resolution of this action and
20 shall not constitute or be construed as an admission of the facts or legal conclusions at
21 issue in this action, or an admission as to the validity of the allegations in future
22 actions.
23
 - 24 4. With respect to this dispute, the Parties have entered into a confidential settlement
25 agreement pursuant to which Plaintiff shall record a reconveyance of the Deed of
26 Trust in the real property records of Clark County, Nevada.
27
28

- 1 5. Plaintiff expressly reserves all rights and interests in the loan secured by the Deed of
2 Trust, as well as its claims against John Robertson, including but not limited, any
3 actions to seek a deficiency judgment.
- 4 6. SFR expressly reserves its claims against John Roberson for quiet title.
- 5 7. The Parties have resolved all of their claims and disputes, and stipulate and agree to
6 the dismissal of all claims among them with prejudice, with each party to bear its own
7 costs and attorneys' fees.
- 8 8. The Parties further stipulate and agree that a copy of this Stipulation and Order may
9 be recorded with the Clark County Recorder.
- 10 9. The Parties further stipulate that pursuant to Nevada Law, specifically, NRS
11 116.31164, Plaintiff is the proper recipient of excess proceeds resulting from the
12 association foreclosure sale in the amount of \$6,815.51 and that Nevada Association
13 Services, Inc. shall deliver the excess proceeds in the amount of \$6,815.51 to "Select
14 Portfolio Servicing, Inc." on behalf of Plaintiff.

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16
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18 **IT IS SO STIPULATED.**

19 DATED this 17th day of October, 2018.

DATED this 17th day of October, 2018.

20 WRIGHT FINLAY & ZAK, LLP

KIM GILBERT EBRON

21 /s/ Robert A. Riether, Esq.

/s/ Jacqueline A. Gilbert, Esq.

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ORDER

Based on the stipulation [ECF No. 45] between plaintiff/counterdefendant US Bank National Association and defendant/counterclaimant SFR Investments Pool 1, LLC, which I construe as a joint motion because it is between fewer than all parties to this litigation, and good cause appearing, IT IS HEREBY ORDERED that **ALL CLAIMS BETWEEN US BANK and SFR are DISMISSED** with prejudice, each party to bear its own fees and costs. This dismissal leaves pending only SFR's claims against John Paul Robertson, who was served on 12/20/16 [ECF No. 24] but has not answered or otherwise appeared. **SFR has 30 days to initiate default proceedings against Robertson or otherwise bring those claims to conclusion.**



U.S. District Judge Jennifer A. Dorsey
Dated: October 18, 2018