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10 *Attorneys for Plaintiff/Counter/Cross-Defendant, U.S. Bank Trust, N.A., as Trustee for LSF9*

11 *Master Participation Trust and MetLife Home Loans, LLC*

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

14 U.S. BANK TRUST, N.A., AS TRUSTEE FOR
15 LSF9 MASTER PARTICIPATION TRUST,

16 Plaintiff,

17 vs.

18 SFR INVESTMENT POOL 1, LLC; RIO
19 VISTA HOMEOWNERS ASSOCIATION;
20 ABSOLUTE COLLECTION SERVICES, LLC;
21 DOE INDIVIDUALS I-X; ROE
22 CORPORATIONS XI-XX,

23 Defendants.

24 SFR INVESTMENT POOL 1, LLC,

25 Counter/Cross-Claimant,

26 vs.

27 U.S. BANK TRUST, N.A., AS TRUSTEE FOR
28 LSF9 MASTER PARTICIPATION TRUST;
JOSHUA HOWARD, an individual,

Counter/Cross-Defendants.

Case No.: 2:16-cv-02604-JCM-PAL

**STIPULATION AND ORDER TO
SUBSTITUTE METLIFE HOME
LOANS, LLC IN PLACE OF U.S. BANK
TRUST, N.A., AS TRUSTEE FOR LSF9
MASTER PARTICIPATION TRUST
AND TO AMEND THE CAPTION**

COMES NOW Plaintiff, Plaintiff/Counter/Cross-Defendant, U.S. Bank Trust,
N.A., as Trustee for LSF9 Master Participation Trust (“U.S. Bank”) and MetLife Home Loans,
LLC, Defendant SFR Investments Pool 1, LLC (“SFR”), Defendant Rio Vista Homeowners

1 Association (“HOA”), and Defendant Absolute Collection Services, LLC (“ACS”), by and
2 through their counsels of record, hereby stipulate and agree as follows:

3 WHEREAS, the above-captioned matter concerns quiet title and declaratory relief claims
4 regarding real property located at 9949 Morpeth Street, Las Vegas, Nevada 89178 (the
5 “Property”), sold at a homeowner’s association foreclosure sale, which allegedly eliminated the
6 Deed of Trust recorded with the Clark County Recorder’s Office on March 24, 2010, as Book
7 and Instrument Number 20100324-0002461, identifying MetLife Home Loans, a Division of
8 MetLife Bank, N.A. as Lender and Mortgage Electronic Registration Systems, Inc. (“MERS”) as
9 the Beneficiary acting solely as a nominee for Lender and Lender’s successors and assigns (the
10 “Deed of Trust”).
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13 WHEREAS an Assignment of Deed of Trust, from MERS to MetLife Home Loans, a
14 division of MetLife Bank, N.A. was recorded with the Clark County Recorder’s Office on
15 January 24, 2011, as Book and Instrument Number 20110124-0000151.
16

17 WHEREAS a Corporate Assignment of Deed of Trust, from MetLife Home Loans, a
18 division of MetLife Bank, N.A. to JPMorgan Chase Bank N.A. (“JPM”) was recorded with the
19 Clark County Recorder’s Office on October 17, 2013, as Book and Instrument Number
20 20131017-0001337.
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22 WHEREAS a Nevada Assignment of Deed of Trust, from JPM to Secretary of Housing
23 and Urban Development was recorded with the Clark County Recorder’s Office on August 25,
24 2015, as Book and Instrument Number 20150825-0002663.

25 WHEREAS an Assignment of Deed of Trust, from Secretary of Housing and Urban
26 Development to U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (“U.S.
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1 Bank”) was recorded with the Clark County Recorder’s Office on August 25, 2015, as Book and
2 Instrument Number 20150825-0002864.

3 WHEREAS an Assignment of Deed of Trust, from U.S. Bank to MetLife Home Loans
4 LLC was recorded with the Clark County Recorder’s Office on July 20, 2017, as Book and
5 Instrument Number 20170720-0002635.

6
7 WHEREAS U.S. Bank disclaims any interest in the rights and title to the Deed of Trust
8 and Property.

9 WHEREAS nothing herein shall be deemed or construed to affect, impair or waive any
10 right, claim or defense of any party to this action, including MetLife Home Loans LLC, or any
11 other successor-in-interest.
12

13 NOW WHEREFORE, based on the foregoing,

14 IT IS HEREBY STIPULATED AND AGREED that MetLife Home Loans LLC shall be
15 substituted in place and stead of U.S. Bank in the pending litigation and MetLife Home Loans
16 LLC adopts all pleadings, motion practice and disclosure of documents and witnesses, including
17 any expert witness, previously recorded, served and/or filed by U.S. Bank.
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1 IT IS FURTHER STIPULATED AND AGREED that the caption shall be amended to
2 substitute MetLife Home Loans LLC in place of U.S. Bank as the named Plaintiff and
3 Counter/Cross-Defendant.

4 IT IS SO STIPULATED:

5 Dated: July 31, 2017.
6

7 WRIGHT, FINLAY & ZAK, LLP

KIM GILBERT EBRON

8 /s/ Robert A. Riether, Esq.
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ABSOLUTE COLLECTION SERVICES LLC

17 **See Attached**
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*Attorney for Defendant, Absolute Collection
Services, LLC*

23 Case No.: 2:16-cv-02604-JCM-PAL

24 **IT IS SO ORDERED**

25 Dated this ____ day of _____ 2017.
26
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28 _____
UNITED STATES MAGISTRATE JUDGE

1 IT IS FURTHER STIPULATED AND AGREED that the caption shall be amended to
2 substitute MetLife Home Loans LLC in place of U.S. Bank as the named Plaintiff and
3 Counter/Cross-Defendant.

4 IT IS SO STIPULATED:

5 Dated: July _____, 2017.

6 WRIGHT, FINLAY & ZAK, LLP

KIM GILBERT EBRON

8 _____
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Services, LLC*

Case No.: 2:16-cv-02604-JCM-PAL

23 **IT IS SO ORDERED**

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25 Dated this 7th day of August 2017.

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28 UNITED STATES MAGISTRATE JUDGE

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Respectfully submitted by:
WRIGHT, FINLAY & ZAK, LLP

/s/ Robert A. Riether, Esq.

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