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

17 Plaintiff,

18 vs.

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

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

29 Defendants.

30 SFR INVESTMENT POOL 1, LLC,

31 Counter/Cross-Claimant,

32 vs.

33 U.S. BANK TRUST, N.A., AS TRUSTEE FOR
34 LSF9 MASTER PARTICIPATION TRUST;
35 JOSHUA HOWARD, an individual,

36 Counter/Cross-Defendants.

37 COMES NOW Plaintiff, Plaintiff/Counter/Cross-Defendant, U.S. Bank Trust,
38 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”).

11 WHEREAS an Assignment of Deed of Trust, from MERS to MetLife Home Loans, a
12 division of MetLife Bank, N.A. was recorded with the Clark County Recorder’s Office on
13 January 24, 2011, as Book and Instrument Number 20110124-0000151.

14 WHEREAS a Corporate Assignment of Deed of Trust, from MetLife Home Loans, a
15 division of MetLife Bank, N.A. to JPMorgan Chase Bank N.A. (“JPM”) was recorded with the
16 Clark County Recorder’s Office on October 17, 2013, as Book and Instrument Number
17 20131017-0001337.

18 WHEREAS a Nevada Assignment of Deed of Trust, from JPM to Secretary of Housing
19 and Urban Development was recorded with the Clark County Recorder’s Office on August 25,
20 2015, as Book and Instrument Number 20150825-0002663.

21 WHEREAS an Assignment of Deed of Trust, from Secretary of Housing and Urban
22 Development to U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (“U.S.
23

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

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

11 NOW WHEREFORE, based on the foregoing,

12 IT IS HEREBY STIPULATED AND AGREED that MetLife Home Loans LLC shall be
13 substituted in place and stead of U.S. Bank in the pending litigation and MetLife Home Loans
14 LLC adopts all pleadings, motion practice and disclosure of documents and witnesses, including
15 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

8 /s/ Robert A. Riether, Esq.
9 Edgar C. Smith, Esq.
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14 /s/ Diana Cline Ebron, Esq.
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19 **See Attached**
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21 *Attorneys for Defendant, Rio Vista Homeowners Association*

22 ABSOLUTE COLLECTION SERVICES LLC

23 /s/ Shane Cox, Esq.
Shane Cox, Esq.
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8440 W. Lake Mead Blvd. # 210,
24 Las Vegas, NV 89128
25 *Attorney for Defendant, Absolute Collection Services, LLC*

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

27 **IT IS SO ORDERED**

28 Dated this ____ day of _____ 2017.

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

7 KIM GILBERT EBRON

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9 Nevada Bar No. 05506
10 Robert A. Riether, Esq.
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Attorney for Defendant, Absolute Collection Services, LLC

23 IT IS SO ORDERED Case No.: 2:16-cv-02604-JCM-PAL

24
25 Dated this 7th day of August 2017.

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27 
28 UNITED STATES MAGISTRATE JUDGE

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2 Respectfully submitted by:
3 WRIGHT, FINLAY & ZAK, LLP
4
5 /s/ Robert A. Riether, Esq.
6 Edgar C. Smith, Esq.
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12 *Attorneys for Plaintiff/Counter/Cross-*
13 *Defendants, U.S. Bank Trust, N.A., as*
14 *Trustee for LSF9 Master Participation*
15 *Trust and MetLife Home Loans, LLC*

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