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7 *Attorneys for Plaintiff The*  
*Wilmington Trust, N.A., Successor*  
 8 *Trustee to Citibank, N.A., as*  
*Trustee f/b/o Holders of Structured*  
 9 *Asset Mortgage Investments II Inc.,*  
*Bear Stearns ALT-A Trust 2006-4,*  
 10 *Mortgage Pass-Through Certificates,*  
*Series 2006-4*

11  
 12 **UNITED STATES DISTRICT COURT**  
 13 **DISTRICT OF NEVADA**

14 WILMINGTON TRUST, N.A.,  
 SUCCESSOR TRUSTEE TO CITIBANK,  
 15 N.A., AS TRUSTEE F/B/O HOLDERS OF  
 STRUCTURED ASSET MORTGAGE  
 16 INVESTMENTS II INC., BEAR  
 STEARNS ALT-A TRUST 2006-4,  
 17 MORTGAGE PASS-THROUGH  
 CERTIFICATES, SERIES 2006-4

18 Plaintiff,

19 vs.

20 SFR INVESTMENTS POOL 1, LLC, a  
 Nevada limited liability company;  
 21 GIAVANNA HOMEOWNERS  
 ASSOCIATION, a Nevada non-profit  
 22 corporation,

23 Defendants.  
 24

Case No. 2:16-cv-02756-RFB-VCF

**STIPULATION AND ORDER TO 1)  
 DISMISS WITH PREJUDICE  
 WILMINGTON TRUST, N.A., SFR  
 INVESTMENTS POOL 1, LLC,  
 GIAVANNA HOMEOWNERS  
 ASSOCIATION; AND ABSOLUTE  
 COLLECTION SERVICES, AND 2)  
 LIFT STAY ENTERED APRIL 4,  
 2018**

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1 GIAVANNA HOMEOWNERS  
2 ASSOCIATION,

3 Third Party Plaintiff,

4 vs.

5 ABSOLUTE COLLECTION SERVICES,  
6 LLC,

7 Third Party Defendant.

8 SFR INVESTMENTS POOL 1, LLC, a  
9 Nevada limited liability company,

10 Counter/Cross Claimant,

11 vs.

12 WILMINGTON TRUST, N.A.,  
13 SUCCESSOR TRUSTEE TO CITIBANK,  
14 N.A., AS TRUSTEE F/B/O HOLDERS OF  
15 STRUCTURED ASSET MORTGAGE  
16 INVESTMENTS II INC., BEAR  
17 STEARNS ALT-A TRUST 2006-4,  
18 MORTGAGE PASS-THROUGH  
19 CERTIFICATES, SERIES 2006-4;  
20 MASHELLE CLARK aka SHELLY  
21 CLARK, an individual,

22 Counter/Cross Defendants.

23 Pursuant to Local Rules LR IA 6-1 and LR 26-4, Plaintiff/Counter-Defendant  
24 Wilmington Trust, N.A., Successor Trustee to Citibank, N.A., as Trustee F/B/O  
25 Holders of Structured Asset Mortgage Investments II Inc., Bear Stearns ALT-A Trust  
26 2006-4, Mortgage Pass-Through Certificates, Series 2006-4 (the "Trustee"),  
27 Defendant/Counterclaimant SFR Investment Pools 1, LLC ("SFR"), Giavanna  
28 Homeowners Association ("Giavanna"), and Absolute Collection Services, LLC  
("Absolute") (collectively, the "Parties") hereby stipulate as follows:

1. This action concerns title to real property commonly known as 5434  
Stelle Amore Street, North Las Vegas, Nevada ("Property") following a homeowner's  
association foreclosure sale conducted on September 17, 2013, with respect to the  
Property.

1           2.     As it relates to the Parties, a dispute arose regarding that certain Deed  
2 of Trust recorded against the Property in the Official Records of Clark County,  
3 Nevada as Instrument Number 20060330-0002376 (“Deed of Trust”), and in  
4 particular, whether the Deed of Trust continues to encumber the Property.

5           3.     The Parties to this Stipulation have settled and agreed to release their  
6 respective claims among them, and further agreed that the claims among them,  
7 including the Complaint, Counterclaim, and Third Party Complaint shall be  
8 DISMISSED with prejudice;

9           4.     As Mashelle Clark aka Shelly Clark (“Clark”) never filed an Answer or  
10 other response to the Complaint in this action, the Trustee hereby voluntarily  
11 dismisses its claims against her pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

12           5.     This Stipulation in no way affects SFR’s cross-claim against Clark;

13           6.     The Parties further stipulate and agree that the Lis Pendens recorded  
14 against the Property in the Official Records of Clark County, Nevada, as Instruments  
15 Number 201702230002798 be, and the same hereby is, EXPUNGED.

16           7.     The Parties further stipulate and agree that the \$500 in security costs  
17 posted by Chase on February 8, 2017 pursuant to this Court’s Order [ECF No. 15]  
18 shall be discharged and released to the Ballard Spahr LLP Trust Account.

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

21           9.     The Parties further agree to lift the stay entered April 4, 2018 [ECF No.  
22 45];

23           10.    This case shall remain open until such time as SFR resolves its pending  
24 cross-claim against Clark; and

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1 11. Each party in this case number 2:16-cv-02756-RFB-VCF shall bear its  
2 own attorneys' fees and costs.

3 Dated this December 10, 2018.

4 BALLARD SPAHR LLP

KIM GILBERT EBRON

5  
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9 *Attorneys for Plaintiff*

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LLC*

10  
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ABSOLUTE COLLECTION SERVICES, LLC

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17  
18 *Attorneys for Giavanna Homeowners  
Association*

*Attorney for Absolute Collection Services,  
LLC*

19  
20 IT IS SO ORDERED.

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22   
RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

23  
24 DATED this 11th day of December, 2018.

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