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7 *Attorneys for Plaintiff/Counter-Defendant HSBC*  
 8 *Bank USA, National Association, as Trustee*

9 **UNITED STATES DISTRICT COURT**  
 10 **DISTRICT OF NEVADA**

11 HSBC BANK USA, NATIONAL  
 ASSOCIATION, AS TRUSTEE FOR  
 12 PEOPLE'S CHOICE HOME LOAN  
 SECURITIES CORP., PEOPLE'S  
 CHOICE HOME LOAN SECURITIES  
 13 TRUST SERIES 2005-1, MORTGAGE-  
 BACKED NOTES, SERIES 2005-1,

14 Plaintiff,

15 vs.

16 SFR INVESTMENTS POOL 1 LLC, a  
 Nevada limited liability company;  
 17 BELCREST HOMEOWNERS  
 ASSOCIATION, a Nevada non-profit  
 18 corporation.

19 Defendant.

20 SFR INVESTMENTS POOL 1, LLC, a  
 21 Nevada limited liability company,

22 Counter/Cross-claimant,

23 vs.

24 HSBC BANK USA, NATIONAL  
 ASSOCIATION, AS TRUSTEE FOR  
 25 PEOPLE'S CHOICE HOME LOAN  
 SECURITIES CORP., PEOPLE'S  
 CHOICE HOME LOAN SECURITIES  
 26 TRUST SERIES 2005-1, MORTGAGE-  
 BACKED NOTES, SERIES 2005-1; AND  
 27 MARILU AGUILERA, an individual,

28 Counter/Cross-defendants.

Case No. 2:16-cv-02762-RFB-NJK

**STIPULATION AND ORDER  
 TO 1) DISMISS WITH  
 PREJUDICE CLAIMS  
 BETWEEN  
 PLAINTIFF/COUNTER-  
 DEFENDANT HSBC BANK  
 USA, NATIONAL  
 ASSOCIATION, BELCREST  
 HOMEOWNERS  
 ASSOCIATION AND  
 DEFENDANT/COUNTER-  
 CLAIMANT SFR  
 INVESTMENTS POOL 1, LLC;  
 AND 2) LIFT STAY**

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1 Pursuant to Local Rules LR IA 6-1 and LR 26-4, Plaintiff/Counter-defendant  
2 HSBC Bank USA, National Association, as Trustee for People’s Choice Home Loan  
3 Securities Corp., People’s Choice Home Loan Securities Trust Series 2005-1,  
4 Mortgage-Backed Notes, Series 2005-1 (“Trustee”), Defendant/Counterclaimant  
5 SFR Investment Pools 1, LLC (“SFR”), and Defendant Belcrest Homeowners  
6 Association (the “Association”) (collectively, the “Parties”) hereby stipulate as  
7 follows:

8 1. This action concerns title to real property commonly known as 5880  
9 Sakhalin Avenue, Las Vegas, Nevada (“Property”) following a homeowner’s  
10 association foreclosure sale conducted on July 12, 2013, with respect to the  
11 Property.

12 2. As it relates to the Parties, a dispute arose regarding that certain Deed  
13 of Trust recorded against the Property in the Official Records of Clark County,  
14 Nevada as Instrument Number 20041124-0003185 (“Deed of Trust”), and in  
15 particular, whether the Deed of Trust continues to encumber the Property.

16 3. The Parties to this Stipulation have settled and agreed to release their  
17 respective claims, and further agreed that the claims between them, including the  
18 Complaint and Counterclaim, shall be DISMISSED with prejudice;

19 4. This Stipulation in no way affects SFR’s cross-claim against Marilu  
20 Aguilera;

21 5. The Parties further stipulate and agree that the \$500 in security costs  
22 posted by the Trustee on January 12, 2017 pursuant to this Court’s Order [ECF No.  
23 11] shall be discharged and released to the Ballard Spahr LLP Trust Account;

24 6. The Parties further stipulate and agree that the Lis Pendens recorded  
25 against the Property in the Official Records of Clark County, Nevada, as  
26 Instruments Number 2017013-00000119 be, and the same hereby is, EXPUNGED.

27 7. The Parties further stipulate and agree that a copy of this Stipulation  
28 and Order may be recorded with the Clark County Recorder;

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8. The Parties further agree to lift the stay entered July 13, 2018 [ECF No. 82];

9. This case shall remain open until such time as SFR resolves its pending cross-claim against Marilu Aguilera; and

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1           10. Each party in this case number 2:16-cv-02762-RFB-NJK shall bear its  
2 own attorneys' fees and costs.

3 Dated: December 11, 2018

4 BALLARD SPAHR LLP

KIM GILBERT EBRON

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20 *Attorney for Defendant Belcrest  
Homeowners Association*

IT IS SO ORDERED.

  
\_\_\_\_\_  
RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

DATED this 12th day of December, 2018.