Nationstar Mortgage LLC v. Hidden Canyon Owners Association et al Doc. 30

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

NATIONSTAR MORTGAGE LLC, Plaintiff, vs. HIDDEN CANYON OWNERS ASSOCIATION, *et al.*, Defendants.	Case No. 2:16-cv-02920-RFB-GWF **ORDER**

This matter is before the Court on Defendant Shelly Fisher's Demand for Security of Costs Pursuant to NRS 18.130(1) (ECF No. 23), filed on April 14, 2017.

Defendant Fisher has demanded that Plaintiff Nationstar Mortgage, LLC, an out-of-state resident, post a cost bond under NRS 18.130(1). That statute allows a defendant in an action brought by an out-of-state plaintiff to demand that the plaintiff post a bond to secure costs up to $500. Nev. Rev. Stat. § 18.130(1). Once the demand is filed and served, "all proceedings in the action shall be stayed" until the cost bond is deposited. *Id.* If the plaintiff fails to post the cost bond within 30 days of the demand, the defendant may move for dismissal. Nev. Rev. Stat. § 18.130(4).

In this district, a demand is tracked as a motion in the court's system because a court order is required for the Clerk of Court to permit the posting of a cost bond. Accordingly, and for good cause shown,

IT IS HEREBY ORDERED that Defendant Shelly Fisher's Demand for Security of Costs Pursuant to NRS 18.130(1) (ECF No. 23) is **granted**.

IT IS FURTHER ORDERED that in the event that the cost bond is presented for deposit, the Clerk of Court is directed to accept the deposit of $500 under NRS 18.130 as security for costs and charges that may be awarded against Plaintiff.

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IT IS FURTHER ORDERED that Plaintiff must bring a copy of this order to the Clerk's office when making this deposit.

IT IS FURTHER ORDERED that this case is stayed by operation of NRS 18.130(1) until the $500 cost bond is deposited.

DATED this 3rd day of May, 2017.

GEORGE FOLEY, JR.
United States Magistrate Judge