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16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 HSBC BANK USA, N.A., AS TRUSTEE FOR
19 THE LMT 2006-7 TRUST FUND,

20 Case No. 2:17-cv-00016-RFB-EJY

21 Plaintiff,

22 vs.

23 ESTRELLA II HOMEOWNERS'
24 ASSOCIATION, a Nevada non-profit
25 corporation; SFR INVESTMENTS POOL 1,
26 LLC, a Nevada limited liability company;

27 **[PROPOSED] SUPPLEMENTAL ORDER**
28 **GRANTING SFR INVESTMENTS POOL**
1, LLC'S MOTION FOR SUMMARY
JUDGMENT

29 Defendants.

30 **SFR INVESTMENTS POOL 1, LLC,**

31 Counter/Cross Claimant,

32 vs.

33 HSBC BANK USA, N.A., AS TRUSTEE FOR
34 THE LMT 2006-7 TRUST FUND; ASHAR
35 W. MUJTABA, an individual,

36 Counter/Cross Defendants.

37 Before the Court came Estrella II Homeowners' Association's ("Association") Motion for
38 Summary Judgment [ECF No. 50] and SFR Investments Pool, LLC's ("SFR") Motion for
39 Summary Judgment [ECF No. 51] each against HSBC Bank USA, N.A., as trustee for the LMT
40 2006-7 Trust Fund ("Bank"). Having considered the Bank's respective Responses [ECF Nos. 53
41 and 54] and the parties' briefs, the Court hereby grants SFR's Motion for Summary Judgment
42 and denies the Association's Motion for Summary Judgment.

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1 and 54] and SFR and the Association's respective Replies [ECF Nos. 56 and 57], and for all the
2 reasons stated on the record, the Court rules as follows:

3 IT IS HEREBY ORDERED that SFR's Motion for Summary Judgment is **GRANTED** and
4 the Association's Motion for Summary Judgment is **GRANTED**. The nonjudicial foreclosure sale
5 conducted on July 1, 2014 extinguished all junior interests in the Property, including the deed of
6 trust recorded as Instrument No. 20060526-0002958. As a result, the Bank, its successors or
7 assigns, has no enforceable lien, interest or property right in the real property located at 6243
8 Copper Light Street, Las Vegas, Nevada 89081; Parcel No. 124-25-512-057.

9 Additionally, as a result of the Association's foreclosure sale, Ashar W. Mujtaba, his
10 successors or assigns, has no right, title or interest in the real property located at 6243 Copper
11 Light Street, Las Vegas, Nevada 89081; Parcel No. 124-25-512-057.

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The Court further finds that there is no basis to support the lis pendens in this case as Bank has no existing interest in the Property. The lis pendens recorded against the Property in the Official Records of the Clark County Recorder as Instrument No. 20150512-0002931 and Instrument No. 20170113-0000966 shall therefore be expunged.

DATED: August 23, 2019



**RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE**

Submitted by:

Approved as to Form and Content:

Kim Gilbert Ebron

Wright Finlay & Zak LLP

/s/ Jason G. Martinez

/s/ Lindsay D. Robbins

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