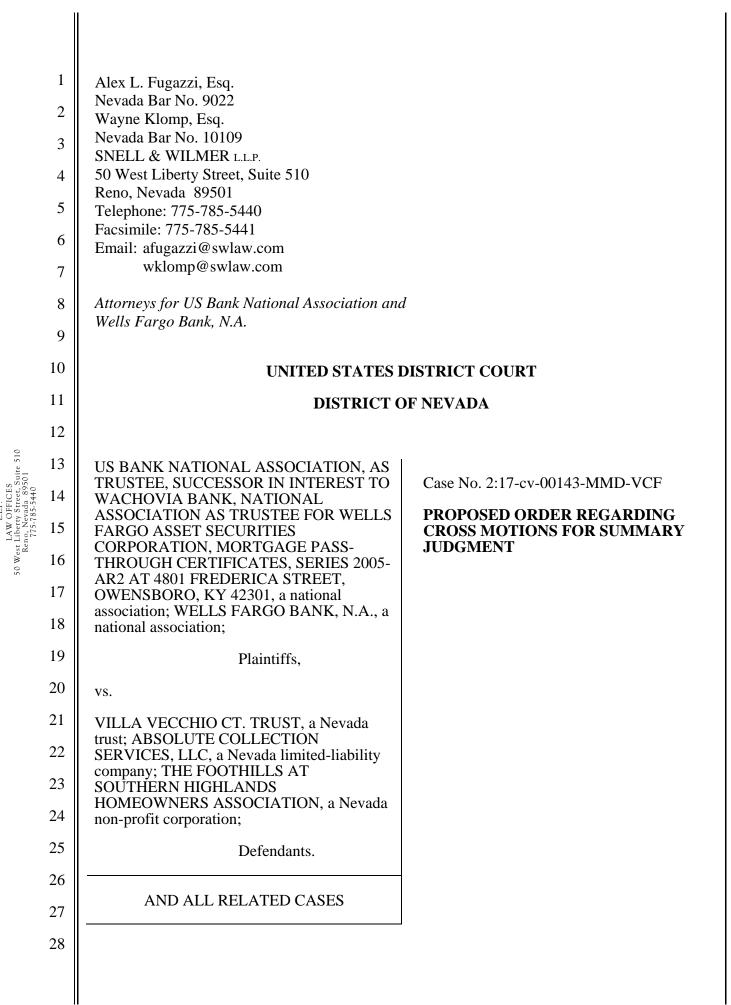
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This action involves a dispute regarding superior interests in the real property known as 5147 Villa Vecchio Ct., Las Vegas, Nevada 89141, APN 176-36-514-048 (the "Property"). The litigants each filed affirmative claims for quiet title seeking to declare their interest in the Property superior to the other litigants' claims.

On July 31, 2019, Plaintiffs and Counter-Defendants US Bank National Association, as Trustee, Successor in Interest to Wachovia Bank, National Association as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2005-AR2 at 4801 Frederica Street, Owensboro, KY 42301 ("US Bank") and Wells Fargo Bank, N.A. ("Wells Fargo," and with US Bank, "Plaintiffs") filed their Motion for Summary Judgment (ECF No. 65). On the same date, Defendant and Counter-Claimant Villa Vecchio Ct. Trust ("Villa Vecchio" or "Defendant") filed its Motion for Summary Judgment (ECF No. 64). The cross motions for summary judgment came before this court for oral argument on February 14, 2020. Having considered the pleadings and papers on file and heard the oral argument of counsel, the Court issued its findings of fact and conclusions of law on the record at the motion hearing as also indicated in the Minute Order dated February 19, 2020 (ECF No. 72).

16 And as more fully set forth in the transcript of the motion hearing, which is incorporated as 17 though set forth herein, the Court takes judicial notice of the publicly available documents attached 18 as exhibits to Plaintiffs' Motion for Summary Judgment. Disabled Rights Action Comm. V. Las 19 Vegas Events, Inc., 375 F.3d 861, 866 & n.1 (9th Cir. 2004).

20 After reciting findings on the record, which are also incorporated herein, the Court held that 21 US Bank's Deed of Trust survived the homeowners' association foreclosure sale of the Property 22 and remains a valid property interest encumbering the Property because the super-priority lien 23 portion of the HOA's lien was satisfied prior to the foreclosure sale. Based upon that holding, the 24 Court rules as follows:

25 IT IS HEREBY ORDERED that Defendant's Motion for Summary Judgment (ECF No. 64) 26 is denied, and judgment is entered against Defendant Villa Vecchio on its Counterclaims (ECF No. 27 52).

A W OFFICES berty Street, Suite 510 5, Nevada 89501 75-785-5440 Snell & Wilmer 15

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1 IT IS FURTHER ORDERED that Plaintiffs' Motion for Summary Judgment (ECF No. 65) 2 is granted, and the Court holds that the Deed of Trust survived the association foreclosure sale 3 because the super-priority lien was satisfied by the borrower prior to the HOA's foreclosure sale. 4 IT IS FURTHER ORDERED that Plaintiffs' remaining claims as set forth in its Complaint 5 (ECF No. 1) are dismissed as moot. 6 IT IS FURTHER ORDERED that, there being no further claims as against any remaining 7 party, the Clerk of the Court shall enter Judgment in favor of Plaintiffs and close the case. 8 9 IT IS SO ORDERED. 10 11 UNITED STATES DISTRICT JUDGE 12 DATED: February 24, 2020 13 14 15 16 17 Respectfully submitted by: 18 19 /s/ Wayne Klomp Alex L. Fugazzi, Esq. (NV Bar No. 9022) 20 Wayne Klomp, Esq. (NV Bar No. 10109) SNELL & WILMER L.L.P. 21 50 W. Liberty Street, Suite 510 Reno, Nevada 89501-1961 22 Attorneys for US Bank and Wells Fargo 23 24 25 26 27 28 - 3 -

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