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

12 THE BANK OF NEW YORK MELLON FKA  
 THE BANK OF NEW YORK AS TRUSTEE  
 13 FOR THE CERTIFICATEHOLDERS OF  
 THE CWABS, INC. ASSET-BACKED  
 CERTIFICATES, SERIES 2005-17,

14 Plaintiff,

15 vs.

16 SFR INVESTMENTS POOL 1, LLC;  
 17 ALIANTE MASTER ASSOCIATION,

18 Defendants.

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

21 Counter/Cross Claimant,

22 vs.

23  
 24 THE BANK OF NEW YORK MELLON FKA  
 THE BANK OF NEW YORK AS TRUSTEE  
 25 FOR THE CERTIFICATEHOLDERS OF  
 THE CWABS, INC. ASSET-BACKED  
 26 CERTIFICATES, SERIES 2005-17;  
 COUNTRYWIDE HOME LOANS, INC.;  
 27 RODERICK SMITH, an individual;  
 MELINDA SMITH, an individual

28 Counter/Cross Defendants.

Case No. 2:17-cv-00210-JCM-CWH

**ORDER GRANTING MOTION TO SERVE  
 MASHELLE RODERICK SMITH BY  
 PUBLICATION**

**-and-**

**ORDER GRANTING MOTION TO  
 ENLARGE TIME TO SERVE SUMMONS  
 AND CROSS-CLAIM**

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1           Upon reading the Affidavit of Due Diligence [ECF No. 36]; it appearing that an Answer,  
2 Counterclaim, and Cross-Claim has been filed; that a Summons directed to Cross-Defendant,  
3 RODERICK SMITH (“Smith”) has been issued [ECF No. 25]; that Cross-Defendant, Smith is a  
4 necessary party; and that Cross-Defendant Smith cannot be found to be personally served in the  
5 State of Nevada, and good cause appearing therefore,

6           **IT IS HEREBY ORDERED** that since the Cross-Defendant, RODERICK SMITH,  
7 cannot now be found so as to be personally served, he may be served by publication of the  
8 Summons at least once a week for four (4) weeks in the Nevada Legal News, a newspaper of  
9 general circulation, pursuant to FRCP 4(e)(1) and NRCPC 4(e)(1).

10           **IT IS FURTHER ORDERED** that a copy of the Summons and Answer, Counterclaim,  
11 and Cross-Claim shall be mailed forthwith to Cross-Defendant Smith, first class mail, postage  
12 prepaid, addressed to the Cross-Defendant’s last known address.

13           **IT IS FURTHER ORDERED** that SFR’s Motion to Enlarge Time to Serve is GRANTED  
14 and the time for service is extended by an additional 60 days from the date of this order is entered  
15 to allow SFR Investments Pool 1, LLC (“SFR”) to effectuate service by publication.

16           DATED: June 6, 2017

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21 UNITED STATES MAGISTRATE JUDGE

22 Submitted by:

23 **KIM GILBERT EBRON**

24 /s/Diana Cline Ebron  
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