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 Mellon fka The Bank of New York, as Trustee for
 the Certificateholders of CWALT, Inc., Alternative
 10 Loan Trust 2005-82, Mortgage Pass-Through
 Certificates, Series 2005-82

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12 **UNITED STATES DISTRICT COURT**
 13 **DISTRICT OF NEVADA**

14 THE BANK OF NEW YORK MELLON FKA
 15 THE BANK OF NEW YORK, AS TRUSTEE
 FOR THE CERTIFICATEHOLDERS OF
 16 CWALT, INC., ALTERNATIVE LOAN
 TRUST 2005-82, MORTGAGE PASS-
 17 THROUGH CERTIFICATES, SERIES 2005-82

 18 Plaintiff,
 vs.
 19 ERIC A. CATTANI; INDEPENDENCE
 20 HOMEOWNERS' ASSOCIATION; TERRA
 WEST COLLECTIONS GROUP, LLC D/B/A
 21 ASSESSMENT MANAGEMENT SERVICES;
 SFR INVESTMENTS POOL 1, LLC; DOE
 22 INDIVIDUALS I-X, inclusive, and ROE
 CORPORATIONS I-X, inclusive,
 23
 24 Defendants.

Case No.: 2:17-cv-00363-JCM-GWF

**DEFENDANT ERIC A. CATTANI'S
 DISCLAIMER OF INTEREST**

AND

**STIPULATION AND ORDER OF
 DISMISSAL**

25 Plaintiff The Bank of New York Mellon fka The Bank of New York, as Trustee for the
 26 Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-82, Mortgage Pass-Through
 27 Certificates, Series 2005-82 (**BNYM**) and Defendant Eric A. Cattani (**Cattani**) stipulate and agree as
 28 follows:

1 1. In 2010, Cattani filed a petition for bankruptcy under Chapter 7, through which he
2 abandoned any interest in the property that is the subject of this litigation, 9109 Hilverson Avenue,
3 Las Vegas, Nevada 89148 (the **Property**).

4 2. On or about August 16, 2011, Cattani received a Chapter 7 discharge.

5 3. On or about May 2, 2014, Independence Homeowners' Association (**HOA**)
6 foreclosed and sold at auction the Property to SFR Investments Pool 1, LLC (**SFR**).

7 4. On February 6, 2017, Plaintiff filed a complaint for quiet title and other claims
8 against Defendants in this action.

9 5. Cattani disclaims of any present right, title, or interest in the Property.

10 6. Cattani has no opposition to any present or future foreclosure, judicial or non-judicial,
11 by the holder of the first deed of trust on the Property, Instrument No. 20050930-0002681 in Clark
12 County Recorder's records.

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1 7. Plaintiff and Cattani agree that Cattani may be dismissed from this action, with each
2 of them bearing their own attorneys' fees and costs.

3 DATED this 22nd day of June, 2017.

4
5 **DICKINSON WRIGHT**

6 /s/ Joanna M. Myers, Esq.
7 JOANNA M. MYERS, ESQ.
8 Nevada Bar No. 12048
9 8363 West Sunset Road, Suite 200
10 Las Vegas, Nevada 89113

11 Attorney for Defendant Eric Cattani

5 **AKERMAN LLP**

6 /s/ Rex D. Garner, Esq.
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17 Attorneys for Plaintiff

18 **ORDER**

19 **IT IS HEREBY ORDERED** that, based upon Defendant Cattani's disclaimer of any present
20 right, title, or interest in the subject property as set forth herein, Defendant Cattani is dismissed from
21 this case without prejudice.

22 **IT IS FURTHER ORDERED** that Plaintiff and Cattani shall bear their own attorneys' fees
23 and costs.

24 **IT IS SO ORDERED:**

25 
26 _____
27 UNITED STATES DISTRICT JUDGE

28 June 26, 2017

DATED