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

13 HSBC BANK USA, NATIONAL
 14 ASSOCIATION AS TRUSTEE FOR ACE
 15 SECURITIES CORP. HOME EQUITY LOAN
 16 TRUST, SERIES 2005-HE7, ASSET
 17 BACKED PASS-THROUGH
 18 CERTIFICATES;

19 Plaintiff,

20 vs.

21 VELEZ FAMILY TRUST; MARTIN
 22 CENTENO, an individual; RED ROCK
 23 FINANCIAL SERVICES, LLC, a Nevada
 24 limited-liability company; FIRST LIGHT AT
 25 OLD VEGAS RANCH HOMEOWNERS
 26 ASSOCIATION, a Nevada non-profit
 27 corporation;

28 Defendants.

Case No. 2:17-cv-00819-JAD-VCF

**STIPULATION AND ORDER FOR
 DISMISSAL WITHOUT PREJUDICE
 OF RED ROCK FINANCIAL
 SERVICES, LLC**

ECF Nos. 23, 28, 32, 33

STIPULATION

This *Stipulation and Order for Dismissal without Prejudice of Red Rock Financial Services, LLC* (“Stipulation”) is entered into as of the date below by and between HSBC Bank USA, National Association as Trustee for Ace Securities Corp. Home Equity Loan Trust, Series 2005-HE7, Asset Backed Pass-Through Certificates (“HSBC or Plaintiff”), by and through counsel of record, and Defendant Red Rock Financial Services, LLC (“Red Rock”) (HSBC and collectively with Red Rock, the “Parties”). The parties hereby stipulate and agree as follows:

Snell & Wilmer
 L.L.P.
 LAW OFFICES
 50 West Liberty Street, Suite 510
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1 WHEREAS, the above-captioned action concerns an NRS 116 foreclosure sale involving
2 that real property in Clark County, Nevada with APN 179-34-615-084, commonly known as
3 2556 Velez Valley Way, Henderson, Nevada 89002 (the “Property”);

4 WHEREAS, the Plaintiff filed this action on March 20, 2017 and alleges several causes
5 of action against Red Rock;

6 WHEREAS, Red Rock filed a Motion to Dismiss on June 7, 2017; and

7 WHEREAS, Red Rock disclaims any interest in the Property.

8 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that:

9 1. The Complaint is dismissed without prejudice as to Red Rock only, with each
10 party to bear their own fees/costs, and the Motion to Dismiss is deemed withdrawn.

11 2. Any statute of limitations for the causes of action asserted against Red Rock,
12 which Red Rock may allege have expired since the Complaint was filed on March 20, 2017 to
13 the date of this Stipulation, shall be tolled until further agreement of the Parties.

14 3. Within 14 days after entry of this Stipulation and Order, Red Rock shall provide
15 to First Light at Old Vegas Ranch Homeowners Association’s (the “Association”) defense
16 counsel of record in this matter the Association’s records, which are in Red Rock’s possession,
17 concerning the Association’s NRS Chapter 116 assessment lien foreclosure on the Property for
18 production by the Association’s defense counsel in the course of discovery under the Federal
19 Rules of Civil Procedure, subject to any and all applicable objections.

20 4. Upon proper notice by Plaintiff in accord with the Federal Rules of Civil
21 Procedure, Red Rock shall make available a knowledgeable witness for deposition limited to the
22 Association’s assessment lien foreclosure sale of the Property, and subject to any and all
23 applicable objections. Red Rock shall be provided 30 days’ notice of the deposition, and an
24 opportunity to coordinate with Plaintiff’s counsel, a mutually convenient time, date and location
25 of such deposition.

26 5. The Parties reserve any and all rights, privileges, and defenses under applicable
27 law.

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Wherefore, the undersigned request this Court enter an Order granting the above stipulation.

DATED this 3rd day of July, 2017.

DATED this 3rd day of July, 2017.

KOCH & SCOW, LLC

SNELL & WILMER L.L.P.

By: /s/ Steven B. Scow (with permission)

By: /s/ Nathan G. Kanute

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ORDER

Based on the stipulation between plaintiff and Red Rock Financial Services, LLC [ECF No. 32], which this court treats as a joint motion under LR 7-1(c), **IT IS SO ORDERED**;

IT IS FURTHER ORDERED that all claims against Red Rock Financial Services, LLC are DISMISSED without prejudice, each party to bear its own fees and costs. The Clerk of Court may TERMINATE Red Rock as a party in this action;

IT IS FURTHER ORDERED that Red Rock's Motion to Dismiss [ECF No. 23] is DENIED as moot.

IT IS FURTHER ORDERED, based on the stipulation between the HOA and plaintiff (which I also treat as a joint motion under LR 7-1(c)) and good cause appearing, that HSBC will have until July 28, 2017, to file its response to the HOA's motion to dismiss [ECF Nos. 23, 28].



U.S. District Judge Jennifer Dorsey
July 6, 2017