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16 SFR Investments Pool 1, LLC

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK, AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF CWALT,
INC., ALTERNATIVE LOAN TRUST 2005-
1CB, MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-1CB,

Plaintiff,

vs.

JEAN BIRMINGHAM; MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC.; SFR INVESTMENTS
POOL 1, LLC; PEARL COVE II
HOMEOWNERS ASSOCIATION; DOE
INDIVIDUALS I-X, inclusive; and ROE
CORPORATIONS I-X, inclusive,

Defendants.

SFR INVESTMENTS POOL 1, LLC,

Counterclaimant/Cross-Claimant,

vs.

THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK, AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF CWALT,

Case No.: 2:17-cv-01030-MMD-GWF

**ORDER GRANTING MOTION TO
SERVE JEAN BIRMINGHAM BY
PUBLICATION**

-and-

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

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1 INC., ALTERNATIVE LOAN TRUST 2005-
2 1CB, MORTGAGE PASS-THROUGH
3 CERTIFICATES, SERIES 2005-1CB;
4 MORTGAGE ELECTRONIC
5 REGISTRATION SYSTEMS, INC. as
6 Nominee Beneficiary for MIRAD
7 FINANCIAL GROUP; JEAN
8 BIRMINGHAM, an individual,

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10 Counter-Defendant/Cross-Defendants.
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12 Upon reading the Affidavit of Due Diligence; it appearing that an Answer, Counterclaim,
13 and Cross-Claim has been filed; that a Summons directed to Cross-Defendant, JEAN
14 BIRMINGHAM has been issued [ECF No. 32-1]; that Cross-Defendant, Birmingham is a
15 necessary party; and that Cross-Defendant Birmingham cannot be found to be personally served
16 in the State of Nevada, and good cause appearing therefore,

17 **IT IS HEREBY ORDERED** that since the Cross-Defendant, JEAN BIRMINGHAM,
18 cannot now be found so as to be personally served, she may be served by publication of the
19 Summons at least once a week for four (4) weeks in the Nevada Legal News, a newspaper of
20 general circulation.

21 **IT IS FURTHER ORDERED** that a copy of the Summons and Answer, Counterclaim,
22 and Cross-Claim shall be mailed forthwith to Cross-Defendant Birmingham, first class mail,
23 postage prepaid, addressed to the Cross-Defendant's last known address.

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

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5 Dated this 14th day of September , 2017.

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8 UNITED STATES MAGISTRATE JUDGE

9 Submitted by:

10 **KIM GILBERT EBRON**

11

12 /s/ Diana S. Ebron
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