

1 WRIGHT, FINLAY & ZAK, LLP  
 2 Dana Jonathon Nitz, Esq.  
 Nevada Bar No. 00050  
 Yanxiong Li, Esq.  
 Nevada Bar No. 12807  
 3 7785 W. Sahara Ave., Suite 200  
 4 Las Vegas, NV 89117  
 5 (702) 475-7964; Fax: (702) 946-1345  
[yli@wrightlegal.net](mailto:yli@wrightlegal.net)  
 6 *Attorneys for Cross-Defendant, Mortgage Electronic Registration Systems, Inc.*

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10  
 11 THE BANK OF NEW YORK MELLON FKA  
 12 THE BANK OF NEW YORK, AS TRUSTEE  
 FOR THE CERTIFICATEHOLDERS OF  
 13 CWALT, INC., ALTERNATIVE LOAN  
 TRUST 2006-HY11, MORTGAGE PASS-  
 14 THROUGH CERTIFICATES, SERIES 2006-  
 HY11,

2:17-cv-01074-RFB-NJK

**STIPULATION AND ORDER FOR  
 DISCLAIMER OF INTEREST AND  
 DISMISSAL OF MORTGAGE  
 ELECTRONIC REGISTRATION  
 SYSTEMS, INC. WITH PREJUDICE**

15  
 16 Plaintiff,

17 vs.

18 EMILY RUDELL; SFR INVESTMENTS  
 19 POOL 1, LLC; MORTGAGE ELECTRONIC  
 REGISTRATION SYSTEMS, INC.;  
 20 WIGWAM RANCH SQUARE  
 HOMEOWNERS ASSOCIATION; DOE  
 21 INDIVIDUALS I-X, inclusive; and ROE  
 22 CORPORATIONS I-X, inclusive,

23 Defendants,

24 SFR INVESTMENTS POOL 1, LLC,

25 Counter/Cross Claimant,

26 vs.

27 THE BANK OF NEW YORK MELLON FKA  
 28 THE BANK OF NEW YORK, AS TRUSTEE

1 FOR THE CERTIFICATEHOLDERS OF  
2 CWALT, INC., ALTERNATIVE LOAN  
3 TRUST 2006-HY11, MORTGAGE PASS-  
4 THROUGH CERTIFICATES, SERIES 2006-  
5 HY11; MORTGAGE ELECTRONIC  
6 REGISTRATION SYSTEMS, INC. AS  
7 NOMINEE BENEFICIARY FOR  
8 COUNTRYWIDE HOME LOANS, INC.;  
9 EMILY RUDELL, an individual,

Counter/Cross Defendants.

8 Defendant/Counter/Cross-claimant, SFR INVESTMENTS POOL 1, LLC (“SFR”),  
9 Cross-defendant, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (“MERS”),  
10 by and through their respective counsel of record, hereby stipulate and agree as follows:

11 WHEREAS,

12 1. SFR named MERS as a Cross-defendant in this action;

13 2. The property located at 8601 Little Fox Street, Las Vegas, Nevada 89123  
14 (“Property”), was subject to a deed of trust recorded against the Property, on March 31, 2006, as  
15 Instrument Number 20060331-0002965 in the Official Records of the Clark County, Nevada  
16 Recorder’s Office (“**Deed of Trust**”);

17 3. MERS, solely as nominee for lender, Countrywide Home Loans, Inc., and its  
18 successor and assigns, was designated as the original beneficiary of the Deed of Trust;

19 4. On December 5, 2012, the Property was sold pursuant to a Nevada homeowners’  
20 association (“HOA”) lien defined under NRS 116.3116(2);

21 5. MERS, as nominee for Countrywide Home Loans, Inc., its successors and assigns  
22 hereby disclaims all interest in the Deed of Trust against the Property;

23 8. SFR will not seek to recover costs or attorney’s fees against MERS as a result of  
24 this disclaimer of interest.

25 **IT IS HEREBY STIPULATED AND AGREED** that MERS hereby disclaims any and  
26 all interest in the Deed of Trust against the Property.

27 **IT IS FURTHER STIPULATED AND AGREED** that the above-referenced matter,  
28 including all claims for relief thereto, shall be dismissed WITH PREJUDICE as against MERS.

1           **IT IS FURTHER STIPULATED AND AGREED** that nothing in this Stipulation and  
2 Order is intended to be, or will be, construed as an admission of the claims or defenses of the  
3 parties.

4           **IT IS FURTHER STIPULATED AND AGREED** that each party shall bear its own  
5 attorney's fees and costs.

6 DATED this 1st day of December, 2017.

DATED this 1<sup>st</sup> day of December, 2017.

7 WRIGHT, FINLAY & ZAK, LLP

KIM GILBERT EBRON

8 /s/ Yanxiong Li, Esq.

/s/ Diana S. Ebron, Esq.

9  
10 \_\_\_\_\_  
11 Dana Jonathon Nitz, Esq.  
12 Nevada Bar No. 00050  
13 Yanxiong Li, Esq.  
14 Nevada Bar No. 12807  
15 7785 W. Sahara Ave, Suite 200  
16 Las Vegas, NV 89117  
17 *Attorneys for Cross-Defendant, Mortgage*  
18 *Electronic Registration Systems, Inc.*

Diana S. Ebron, Esq.  
Nevada Bar No. 10580  
Jacqueline A. Gilbert, Esq.  
Nevada Bar No. 10593  
Karen L. Hanks, Esq.  
Nevada Bar No. 9578  
7625 Dean Martin Drive, Ste. 110  
Las Vegas, Nevada 89139  
(702) 485-3300; Fax: (702) 485-3301  
*Attorney for Defendant/Counter/Cross-*  
*claimant, SFR Investments Pool 1, LLC*

19           **ORDER**

20           IT IS SO ORDERED:

21           December 4, 2017.

22           DATED \_\_\_\_\_

23  
24  
25  
26  
27  
28  
  
\_\_\_\_\_  
RICHARD F. BOULWARE, II  
United States District Judge