

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STIP
John T. Steffen (4390)
Bradley G. Sims (11713)
HUTCHISON & STEFFEN, PLLC
10080 W. Alta Dr., Suite 200
Las Vegas, Nevada 89145
(702) 385-2500
bsims@hutchlegal.com

Attorneys for Ralph Partners II, LLC

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

JESUS P. VILLASENOR,

Plaintiff,

v.

CASE NO.: 2:17-cv-01099-GMN-VCF

STIPULATED JUDGMENT

U.S. BANK, N.A. as Trustee, successor in
interest to BANK OF AMERICA, N.A. as
Trustee for Washington Mutual Mortgage
Pass-Through Certificates WMALT series
1007-OA Trust; BANK OF AMERICA, N.A.,
successor to COUNTRYWIDE BANK, N.A.,
JP MORGAN CHASE BANK, N.A.; SELECT
PORTFOLIO SERVICING, INC. (SPS0;
WELLS FARGO BANK, N.A. substituted
Trustee and/or servicer QUALITY LOAN
SERVICE CORPORATION, substituted
Trustee; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., (Original
Nominee Beneficiary on Deed of Trust); its
assignees and/or successors; DOES I through
X, inclusive, and ROE CORPORATIONS I
through X, inclusive. ,

Defendants.

Ralph Partners II, LLC,

Intervenor.

1 Plaintiff Jesus P. Villasenor ("Plaintiff"), in proper person, Defendant Quality Loan
2 Service Corporation ("QLS"), by and through its counsel of record, McCarthy & Holthus,
3 LLP, Defendant Select Portfolio Servicing, Inc. ("SPS"), by and through its counsel of
4 record, Smith Larsen & Wixom, Chartered, and Intervenor Ralph Partners II, LLC ("RPII")
5 by and through its counsel of record, Hutchison & Steffen, LLC, hereby stipulate and agree
6 as follows:
7

8 1. Plaintiff was the prior owner of real property located in Clark County, Nevada
9 commonly known as, 4373 Thorndale Place, Las Vegas, Nevada 89103 (APN: 163-23-213-
10 021), and more particularly known as:

11 LOT 20 IN BLOCK 9 OF LAURELWOOD SPRING
12 VALLEY UNIT #3, AS SHOWN BY MAP THEREOF ON
13 FILE IN BOOK 16 OF PLATS, PAGE 43 IN THE OFFICE
14 OF THE COUNTY RECORDER OF CLARK COUNTY,
NEVADA.

15 ("the Property"),

16 2. Plaintiff financed the purchase of the Property with a loan ("the Loan"), evidenced
17 by a note ("the Note") and secured by a deed of trust. The deed of trust was recorded in the
18 Official Records of the Clark County Recorder on or about February 23, 2007 as Instrument
19 No. 20070223-0004076 ("the Deed of Trust").
20

21 3. On or about December 15, 2015 the beneficiaries of the Deed of Trust recorded an
22 affidavit representing that a default had occurred and permitting QLS to sell the home
23 through a non-judicial foreclosure proceeding.
24

25 4. On or about November 21, 2016 a Certificate of Foreclosure Mediation was
26 recorded against the Property in the Official Records of the Clark County Recorder as
27 Instrument No. 20161121-0002171, stating that the beneficiary of the Deed of Trust could
28 proceed with foreclosure.

1 5. On or about February 21, 2017, QLS recorded a Notice of Sale against the Property
2 in the official records of the Clark County Recorder as Instrument No. 20170221-0001635.

3 6. On or about March 17, 2017, RPII purchased the Property at a public, non-judicial
4 foreclosure sale conducted by QLS in accordance with NRS 107.080 et seq. and pursuant
5 to a duly recorded deed of trust ("Foreclosure Sale").
6

7 7. RPII, as an independent purchaser, purchased the Property for the sum of
8 \$208,000.00 at the Foreclosure Sale;

9 8. As a result of the Foreclosure Sale, RPII received a Trustee's Deed Upon Sale
10 conveying title to the Property to RPII pursuant to NRS Chapter 107 and the Deed of Trust
11 ("TDUS"). The TDUS was recorded in the Official Records of the Clark County Recorder,
12 as Instrument No. 201704070002637.
13

14 9. Prior to the Foreclosure Sale, Plaintiff commenced an action to enjoin foreclosure
15 of the Property in the Eighth Judicial District Court, Clark County Nevada, Case No. A-17-
16 752359-C, XXIII (the "Action");
17

18 10. The Action was subsequently removed to United States District Court for the District
19 of Nevada, Case No. 2:17-cv-01099-GMN-VCF.

20 11. RPII subsequently filed a motion to intervene and brought claims for Quiet Title and
21 Declaratory Relief.

22 12. The parties wish to fully and forever resolve all claims, causes of actions, and
23 controversies between them with respect to the Property.
24

25 13. Plaintiff hereby releases any right, title claim and interest in and to the Property and
26 affirmatively stipulates, agrees, and acknowledges that Ralph Partners II, LLC is fully
27 vested with clear, marketable title to the Property pursuant to NRS 107.080(5), the
28 Foreclosure Sale, the Deed of Trust, and the TDUS.


- 1 14. Plaintiff hereby voluntarily dismisses each of his claims against the remaining
- 2 Defendants with prejudice.
- 3 15. Ralph Partners II, LLC hereby dismisses all claims brought in its complaint in
- 4 intervention.
- 5 16. Each party shall bear their own respective attorneys' fees and costs.
- 6
- 7 17. Any notice of lis pendens recorded against the Property is hereby immediately
- 8 released and otherwise expunged from title to the Property.


9 It is so stipulated.

10 DATED this 11 day of July, 2017. DATED this 13th day of July, 2017.

11 HUTCHISON & STEFFEN, PLLC

MCCARTHY HOLTHUS, LLP

12 

13 

14 John T. Steffen, Esq.
 15 Bradley G. Sims, Esq.
 16 Peccole Professional Park
 10080 West Alta Drive, Suite 200
 Las Vegas, NV 89145

Kristin A Schuler-Hintz, Esq.
 Priscilla L Baker, Esq.
 9510 West Sahara Avenue, Suite 200
 Las Vegas, NV 89117

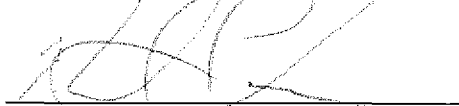
17 *Attorneys for Ralph Partners II, LLC*

Attorneys for Quality Loan Servicing Corporation.

18 DATED this _____ day of _____, 2017. DATED this 18th day of July, 2017.

19 SMITH, LARSEN, & WIXOM

20
 21
 22
 23
 24 Jesus P. Villasenor
 25 *Plaintiff in Proper Person*

26 

Kent F. Larsen, Esq.
 Hills Center Business Park
 1935 Village Center Circle
 Las Vegas, NV 89134

Attorney for Select Portfolio Servicing

1 14. Plaintiff hereby voluntarily dismisses each of his claims against the remaining
2 Defendants with prejudice.

3 15. Ralph Partners II, LLC hereby dismisses all claims brought in its complaint in
4 intervention.

5 16. Each party shall bear their own respective attorneys' fees and costs.

6 17. Any notice of lis pendens recorded against the Property is hereby immediately
7 released and otherwise expunged from title to the Property.
8

9 It is so stipulated.

10 DATED this ____ day of _____, 2017. DATED this ____ day of _____, 2017.

11 HUTCHISON & STEFFEN, PLLC

MCCARTHY HOLTHUS, LLP

12
13
14 _____
15 John T. Steffen, Esq.
16 Bradley G. Sims, Esq.
17 Peccole Professional Park
18 10080 West Alta Drive, Suite 200
19 Las Vegas, NV 89145


Kristin A Schuler-Hintz, Esq.
Priscilla L Baker, Esq.
9510 West Sahara Avenue, Suite 200
Las Vegas, NV 89117

20 *Attorneys for Ralph Partners II, LLC*

Attorneys for Quality Loan Servicing Corporation.

21 DATED this ____ day of _____, 2017. DATED this ____ day of _____, 2017.

22 SMITH, LARSEN, & WIXOM

23 
24 _____
25 Jesus P. Villasenor

Kent F. Larsen, Esq.
Hills Center Business Park
1935 Village Center Circle
Las Vegas, NV 89134

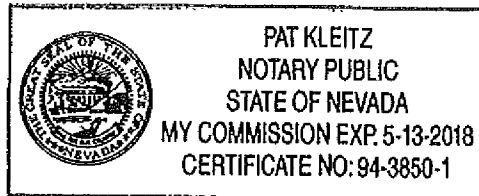
26 *Plaintiff in Proper Person*

Attorney for Select Portfolio Servicing

1 State of Nevada)
2 County of Clark) ss:
3)

4 This instrument was signed and acknowledged before me by Jesus P. Villasenor on
5 this 18th day of July, 2017.

6 Pat Kleitz
7 NOTARY PUBLIC
8 My Commission Expires: 5-13-2018



ORDER

1
2 Therefore, based upon the above stipulation of the parties, and for good cause
3 appearing:

4 IT IS HEREBY ORDERED that Plaintiff's Complaint is hereby dismissed.

5 IT IS FURTHER ORDERED that Plaintiff Jesus P. Villasenor, on behalf of himself,
6 his successors-in-interest, and assigns, has forever relinquished and does not have any right,
7 claim, title or interest in the Property.
8

9 IT IS FURTHER ORDERED that Ralph Partners II, LLC is vested with clear,
10 marketable title to the Property pursuant to NRS 107.080(5), the Foreclosure Sale, the Deed
11 of Trust, and the TDUS.
12

13 IT IS FURTHER ORDERED that each of Ralph Partners II LLC's remaining claims
14 are hereby dismissed.

15 IT IS FURTHER ORDERED that each party shall bear their own respective
16 attorneys' fees and costs.
17

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

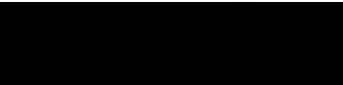
1 IT IS FURTHER ORDERED any notice of lis pendens recorded against the Property
2 is hereby released and expunged from title to the Property.

3 DATED this 30 day of August, 2017.

4
5 
6 Gloria M. Navarro, Chief Judge
7 UNITED STATES DISTRICT COURT

8 Respectfully Submitted:

9 HUTCHISON & STEFFEN, PLLC

10 
11 _____
12 John T. Steffen (4390)
13 Bradley G. Sims (11713)
14 10080 W. Alta Dr., Suite 200
15 Las Vegas, Nevada 89145
16 (702) 385-2500
17 bsims@hutchlegal.com

18 *Attorneys for Ralph Partners II, LLC.*