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

10 WELLS FARGO BANK, N.A., a national
11 banking association,
12
13 Plaintiff,
14 vs.
15 RESOURCES GROUP, LLC, a Nevada
limited-liability company as trustee of the
BOURNE VALLEY COURT TRUST;
CORTEZ HEIGHTS HOMEOWNERS
ASSOCIATION, a Nevada non-profit
16 corporation; G&P ENTERPRISES, LLC dba
17 ALLIED TRUSTEE SERVICES, a California
limited-liability company;
18
19 Defendants.

Case No. 2:17-cv-01124-RFB-VCF
**STIPULATION AND ORDER FOR
DISMISSAL WITHOUT PREJUDICE
OF G&P ENTERPRISES, LLC dba
ALLIED TRUSTEE SERVICES**

20
21 **STIPULATION**

22 This Stipulation and Order for Dismissal Without Prejudice of G&P Enterprises, LLC dba
23 Allied Trustee Services (“Stipulation”) is entered into as of the date below by and between Wells
24 Fargo Bank, N.A. (“Wells Fargo”) and Defendant G&P Enterprises, LLC dba Allied Trustee
25 Services (“Allied” and collectively with Wells Fargo, the “Parties”). The Parties hereby stipulate
26 and agree as follows:
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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 124-35-215-124, commonly known as
3 5332 La Quinta Hills St., North Las Vegas, Nevada 89081 (the “Property”); and

4 WHEREAS, Wells Fargo filed this action on April 24, 2017, and alleges several causes
5 of action against Allied; and

6 WHEREAS, Allied filed a Motion to Dismiss or in the Alternative for Summary
7 Judgment on June 23, 2017 (ECF No. 11) whereby Allied moved to dismiss the causes of action
8 in the Complaint; and

9 WHEREAS, Allied disclaims any interest in title to the Property;

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

11 1. The Complaint is dismissed without prejudice as to Allied only, with each party to
12 bear their own fees/costs.

13 2. The Motion to Dismiss or in the Alternative for Summary Judgment (ECF No. 11)
14 is hereby withdrawn. To the extent any portion of this Stipulation is denied and a response to the
15 Motion is required, the Parties agree that Wells Fargo shall have two weeks following denial of
16 the Stipulation within which to file a response to the Motion.

17 3. Any statute of limitations for the causes of action asserted against Allied, which
18 Allied may allege have expired since the Complaint was filed on April 24, 2017, shall be tolled
19 as of the filing date of the Complaint until this litigation is fully and finally resolved.

20 4. Allied will produce all documents in its possession related to the litigation and the
21 Property. Allied shall supplement any production with additional documents it locates
22 subsequent to its initial disclosure.

23 5. Upon notice by Wells Fargo, Allied shall produce to Wells Fargo’s attorneys of
24 record, a knowledgeable witness for deposition regarding the facts and circumstances in this
25 case. Allied shall be provided 30 days’ notice of the deposition, and an opportunity to coordinate
26 with all remaining Parties concerning a mutually convenient time, date, and location of such
27 deposition.

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6. The Parties reserve any and all rights, privileges, and defenses under applicable law.

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

Dated: July 28, 2017.

Dated: July 28, 2017.

LIPSON, NEILSON, COLE, SELTZER &
GARIN, P.C.

SNELL & WILMER L.L.P.

By: /s/ Peter E. Dunkley

By: /s/ Wayne Klomp

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N.A.*

IT IS SO ORDERED.



RICHARD F. BOULWARE, II
United States District Judge

DATED this 1st day of August, 2017.

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CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of Court for the U.S. District Court, District of Nevada by using the Court's CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED: July 28, 2017

/s/ Lara J. Taylor
An Employee of Snell & Wilmer L.L.P.