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8 *Attorney for Plaintiff/Counter-Defendant, U.S. Bank, National Association, as Trustee for Asset  
 9 Backed Securities Corporation Home Equity Trust, Series 2005-HE2, Asset Backed Pass-  
 10 Through Certificates, Series 2005-HE2*

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

13 U.S. BANK, NATIONAL ASSOCIATION,  
 14 AS TRUSTEE FOR ASSET BACKED  
 15 SECURITIES CORPORATION HOME  
 16 EQUITY TRUST, SERIES 2005-HE2, ASSET  
 17 BACKED PASS-THROUGH  
 18 CERTIFICATES, SERIES 2005-HE2,

Case No.: 2:17-cv-01866-APG-NJK

Consolidated with:

Case No.: 2:18-cv-00457-APG-PAL

19 Plaintiff,

**STIPULATION AND ORDER TO DIMISS**

20 vs.

21 ANTIGUA MAINTENANCE  
 22 CORPORATION; KENNETH BERBERICH  
 23 AS TRUSTEE FOR EAST CACTUS 2071  
 24 TRUST; NEVADA ASSOCIATION  
 25 SERVICES, INC.,

26 Defendants.

27 EAST CACTUS 2071 TRUST

28 Counter-claimant,

vs.

U.S. BANK, NATIONAL ASSOCIATION AS  
 TRUSTEE FOR ASSET BACKED  
 SECURITIES CORPORATION HOME  
 EQUITY TRUST, SERIES 2005-HE2, ASSET  
 BACKED PASS-THROUGH  
 CERTIFICATES, SERIES 2005-HE2,

Counter-Defendant



**STIPULATION AND ORDER TO DISMISS**

1  
2 Plaintiff, U.S. Bank, National Association, as Trustee for Asset Backed Securities  
3 Corporation Home Equity Trust, Series 2005-HE2, Asset Backed Pass-Through Certificates,  
4 Series 2005-HE2 (“Plaintiff”) Kenneth Berberich as Trustee For East Cactus 2071 Trust (“East  
5 Cactus”) (collectively the “Parties”) by and through their respective attorneys of records,  
6 stipulate that all claims between the Parties are hereby dismissed with prejudice, with each party  
7 to bear its own attorney fees and costs.  
8

9 **IT IS SO STIPULATED.**

10 Dated this 8<sup>th</sup> day of December, 2020.

<p>11 WRIGHT, FINLAY &amp; ZAK, LLP</p> <p>12</p> <p>13 <u>/s/ Robert A. Riether</u></p> <p>14 Robert A. Riether, Esq. Nevada Bar No. 12076 7785 W. Sahara Ave., Suite 200 Las Vegas, NV 89117 15 <i>Attorney for Plaintiff/Counter-Defendant, 16 U.S. Bank, National Association, as Trustee 17 for Asset Backed Securities Corporation 18 Home Equity Trust, Series 2005-HE2, Asset 19 Backed Pass-Through Certificates, Series 2005-HE2</i></p>	<p>AYON LAW, PLLC</p> <p>20</p> <p>21 <u>/s/ Luis A. Ayon</u></p> <p>22 Luis A. Ayon, Esq. Nevada Bar No. 9752 8716 Spanish Ridge Avenue, Suite 115 Las Vegas, Nevada 89148 23 <i>Attorneys for Defendant/Counter-Claimant, 24 East Cactus 2071 Trust</i></p>
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25 **ORDER**

26 **IT IS SO ORDERED.**

27 DATED this 9<sup>th</sup> day of December 2020.

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UNITED STATES DISTRICT COURT JUDGE