

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 Bank of New York Mellon,
5 Plaintiff

6 v.

7 Tierra De Las Palmas Owners Association, et
8 al,
9 Defendants

2:17-cv-02112-JAD-CWH

**Order Directing Clerk of Court to Accept
Security of Costs Under NRS 18.130 and
Vacating Hearing**

[ECF No. 12]

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11 SFR Investments Pool 1, LLC demanded that Plaintiff Bank of New York Mellon, an out-
12 of-state resident, post a cost bond under NRS 18.130(1).¹ The statute allows a defendant in an
13 action brought by an out-of-state plaintiff to demand that the plaintiff post a bond to secure costs
14 up to \$500.² Once the demand is filed and served, “all proceedings in the action shall be stayed”
15 until the cost bond is deposited.³ If the bond is not posted within 30 days of the demand, the
16 defendant may move for dismissal.⁴

17 Because a court order is required in this district for the Clerk of Court to permit the
18 posting of a cost bond, the demand is tracked as a motion in the court’s system. Accordingly,
19 with good cause appearing, IT IS HEREBY ORDERED that SFR’s Demand for Security of
20 Costs [ECF No. 12] is **GRANTED; the CLERK OF COURT is directed to accept the**
21 **deposit of \$500.00 from plaintiff under NRS 18.130** as security for costs and charges that may
22 be awarded against this plaintiff in the event that the cost bond is presented for deposit. Plaintiff
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25 ¹ ECF No. 12.

26 ² Nev. Rev. Stat. 18.130(1).

27 ³ *Id.*

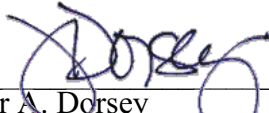
28 ⁴ Nev. Rev. Stat. 18.130(4).

1 must bring a copy of this order to the Clerk's office when making this deposit. IT IS FURTHER
2 ORDERED that this case is stayed by operation of NRS 18.130(1) until the \$500 is deposited.

3 IT IS FURTHER ORDERED that **the hearing** on Absolute Collections Services, LLC's
4 Motion to Dismiss [ECF No. 9] **scheduled for October 25, 2017 at 9:00 a.m. is VACATED.**

5 If, after reviewing the motion, the Court determines that a hearing is necessary, the Court will
6 reset the motion for hearing.

7 DATED: October 18, 2017

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Jennifer A. Dorsey
United States District Judge

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