

1 MELANIE D. MORGAN, ESQ.  
 Nevada Bar No. 8215  
 2 SCOTT R. LACHMAN, ESQ.  
 Nevada Bar No. 12016  
 3 AKERMAN LLP  
 1635 Village Center Circle, Suite 200  
 4 Las Vegas, Nevada 89134  
 Telephone: (702) 634-5000  
 5 Facsimile: (702) 380-8572  
 Email: melanie.morgan@akerman.com  
 6 Email: scott.lachman@akerman.com

7 *Attorneys for Plaintiff Bank of America, N.A.*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 BANK OF AMERICA, N.A.,  
 11  
 Plaintiff,

Case No.: 2:17-cv-02447-MMD-GWF

12 v.

**STIPULATION AND ORDER OF FINAL  
 JUDGMENT CONFIRMING EXISTENCE  
 AND VALIDITY OF DEED OF TRUST**

13 HIDDEN CANYON HOMEOWNERS  
 14 ASSOCIATION; THOMAS JESSUP, LLC;  
 THOMAS JESSUP, LLC SERIES VI;  
 15 ABSOLUTE COLLECTION SERVICES, LLC,  
 16  
 Defendants.

17 Plaintiff, Bank of America, N.A. (**BANA**) and defendants, Thomas Jessup, LLC Series VI, a  
 18 Nevada series limited liability company (**Jessup Series VI**), f/k/a Thomas Jessup, LLC (**Jessup**),  
 19 stipulate as follows:

20 1. This matter relates to real property located 3808 Bach Way, North Las Vegas, Nevada,  
 21 89032, APN 139-09-211-007. The property is more specifically described as:

22 Lot 7 in Block 3 of Symphony West Phase 1, as shown by map thereof on file in Book  
 23 52 of Plats, Page 84, which recorded in Book 920515 as Instrument No. 00745, in the  
 24 Office of the County Recorder of Clark County, Nevada.

25 Assessor's Parcel No. 139-09-211-007

26 2. This dispute related to a deed of trust that encumbers the Property and was recorded on  
 27 June 1, 2006 as Instrument No. 20060601-0005068, in the Official Records of Clark County, Nevada  
 28 (the **Deed of Trust**).

AKERMAN LLP

1635 Village Center Circle, Suite 200  
 LAS VEGAS, NEVADA 89134  
 TEL.: (702) 634-5000 - FAX: (702) 380-8572

1           3.       On May 16, 2012, Hidden Canyon Homeowners Association recorded a foreclosure deed  
2 as Instrument No. 20120516-0002898 in the Official Records of Clark County, Nevada (the **HOA**  
3 **Foreclosure Deed**), reflecting that Thomas Jessup, LLC purchased the property at a foreclosure sale  
4 of the property conducted by Absolute Collection Services, LLC (**ACS**) on May 15, 2012 (the **HOA**  
5 **Sale**).

6           4.       On May 31, 2013 a quit claim deed was recorded as Instrument No. 201305310004709  
7 in the Official Records of Clark County, Nevada reflecting the transfer of the property from Jessup to  
8 Jessup Series VI. Jessup Series VI has not transferred its interest in the property and is currently the  
9 title holder of record.

10          5.       On September 19, 2017, this quiet title action was initiated in the United States District  
11 Court, District of Nevada, Case No. 2:17-cv-02447-MMD-GWF.

12          6.       BANA, non-party Nationstar Mortgage LLC, and Jessup Series VI have entered a  
13 confidential settlement agreement in which they have settled all claims between them in this case.

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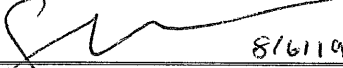
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1           7.       The Deed of Trust survived and was not extinguished in any capacity by the HOA Sale.  
2 The Deed of Trust remains a valid encumbrance against the property following the recording of the  
3 HOA Foreclosure Deed, and Jessup Series VI's ownership interest in the property is subject to the  
4 Deed of Trust. Nothing in this Order alters the HOA's lien rights or lien priority pursuant to NRS 116.

5 **AKERMAN LLP**

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8/6/19  
7 MELANIE D. MORGAN, ESQ.  
Nevada Bar No. 8215  
8 SCOTT R. LACHMAN, ESQ.  
Nevada Bar No. 12016  
1635 Village Center Circle, Suite 200  
Las Vegas, Nevada 89134

9  
10 *Attorneys for Plaintiff Bank of America, N.A.*

11 **RICHARD L. TOBLER, LTD.**

12   
13 RICHARD L. TOBLER, ESQ.  
Nevada Bar No. 4070  
14 3654 N. Rancho Dr., Ste. 102  
Las Vegas, NV 89130

15 *Attorney for Defendant Thomas Jessup, LLC, Series*  
16 *VI, a Nevada limited liability company, as*  
17 *successor to Thomas Jessup, LLC*

AKERMAN LLP

1635 Village Center Circle, Suite 200  
LAS VEGAS, NEVADA 89134  
TEL.: (702) 634-5000 - FAX: (702) 380-8572

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**ORDER**

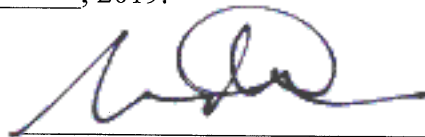
Based on the above stipulation between Plaintiff Bank of America, N.A. (**BANA**), and Defendant Thomas Jessup LLC, Series VI (**Jessup Series VI**), the Parties' agreement, and good cause appearing therefore,

**IT IS ORDERED** that the deed of trust recorded in the Official Records of Clark County, Nevada against the real property located at 3808 Bach Way, North Las Vegas, Nevada, 89032, APN 139-09-211-007 on June 1, 2006 as Instrument No. 20060601-0005068, was not extinguished, impaired, or otherwise affected by (a) the foreclosure sale of the property conducted by Hidden Canyon Homeowners Association and Absolute Collection Services, LLC on May 15, 2012 or (b) the recording of the HOA foreclosure deed in the Official Records of Clark County, Nevada, on May 16, 2012, as Instrument No. 20120516-0002898, reflecting that Thomas Jessup, LLC purchased the property at the HOA Sale. Jessup Series VI's ownership interest in the property is subject to the deed of trust.

**IT IS FURTHER ORDERED** that BANA shall be entitled to record this STIPULATION AND ORDER CONFIRMING VALIDITY OF DEED OF TRUST in the Official Records of Clark County, Nevada in accordance with the rules of the Recorder's Office.

**IT IS FURTHER ORDERED** that this order constitutes the final judgment of this Court, resolving all claims in this case with prejudice, each party to bear its own fees and costs.

DATED this 7th day of August, 2019.



UNITED STATES DISTRICT JUDGE