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9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11  
12 WILMINGTON TRUST COMPANY, as  
Successor to U.S. BANK NATIONAL  
13 ASSOCIATION as Trustee for MASTR  
ALTERNATIVE LOAN TRUST 2004-8  
14 MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2004-8,

15  
16 Plaintiff,

17 vs.

18 YOLANDA MALAVAR-JAIMEZ, an  
individual; SFR INVESTMENTS POOL I,  
19 LLC, a Nevada limited liability company;  
PACIFIC VINTAGE OWNERS'  
20 ASSOCIATION, a Nevada non-profit  
corporation; GEORGE TAPIA, an  
21 individual; and DONNA TAPIA, an  
22 individual,

23  
24 Defendants.

CASE NO: 2:17-cv-02537-JAD-VCF

JOINT MOTION TO DISMISS  
PACIFIC VINTAGE OWNERS'  
ASSOCIATION WITH PREJUDICE

ECF No. 21

25 Pursuant to Fed. R. Civ. P. 41(a) and LR 7-1(c), Wilmington Trust Company, as  
26 Successor to U.S. Bank National Association as Trustee for Mastr Alternative Loan Trust 2004-  
27 8 Mortgage Pass-Through Certificates, Series 2004-8 ("Wilmington") and Pacific Vintage  
28

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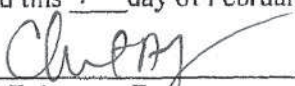
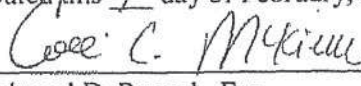
1 Owners' Association (the "Association"), by and through their respective counsel of record,  
2 stipulate and agree, and jointly move, as follows:

3 1. Wilmington's claims against the Association in the above-captioned matter are  
4 dismissed with prejudice.  
5

6 2. Although the Association is no longer a party to this action, the Association shall  
7 be bound by, and cooperate in the enforcement of, any final judgment entered in this case,  
8 including, without limitation, any judgment entered quieting title or granting declaratory relief  
9 as between Wilmington and the remaining defendants regarding their respective interests in that  
10 certain real property commonly known as 10421 Pacific Sageview Lane, Las Vegas, Nevada  
11 89134, APN 137-24-813-126.  
12

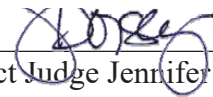
13 3. The Association's Joinder to SFR Investment Pool 1, LLC's Motion to Dismiss  
14 (ECF No. 20) is withdrawn with prejudice.  
15

16 4. The Association and Wilmington shall each bear their own respective attorney  
17 fees and costs, if any, incurred in this matter.

<p>18 SMITH LARSEN &amp; WIXOM</p> <p>19 Dated this <u>7<sup>th</sup></u> day of February, 2018.</p> <p>20 </p> <p>21 Kent F. Larsen, Esq. Nevada Bar No. 3463 Chet A. Glover, Esq. Nevada Bar No. 10054 1935 Village Center Circle Las Vegas, Nevada 89134 Attorneys for Wilmington</p>	<p>BOYACK ORME &amp; ANTHONY</p> <p>20 Dated this <u>7<sup>th</sup></u> day of February, 2018.</p> <p>21 </p> <p>22 Edward D. Boyack, Esq. Nevada Bar No. 5229 Colli C. McKiver, Esq. Nevada Bar No. 13724 7432 W. Sahara Avenue, Suite 101 Las Vegas, Nevada 89117 Attorneys for the Association</p>
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ORDER

26 Good cause appearing, IT IS HEREBY ORDERED that the joint motion to dismiss  
27 **[ECF No. 21] is GRANTED**; the claims against the Pacific Vintage Owners'  
28 Association are DISMISSED with prejudice, each side to bear its own fees and costs.

2   
U.S. District Judge Jennifer A. Dorsey  
February 12, 2018