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17 **UNITED STATES DISTRICT COURT**
18 **DISTRICT OF NEVADA**

19 THE BANK OF NEW YORK MELLON FKA
20 THE BANK OF NEW YORK, AS TRUSTEE
21 FOR THE CERTIFICATEHOLDERS CWALT,
22 INC., ALTERNATIVE LOAN TRUST 2006-
23 OA10 MORTGAGE PASS-THROUGH
24 CERTIFICATES

25 Plaintiff,

26 vs.

27 WILLISTON INVESTMENT GROUP LLC, a
28 Nevada limited liability company; THE
29 PARKS HOMEOWNERS ASSOCIATION, a
30 Nevada non-profit corporation,

31 Defendants.

CASE NO.: 2:18-cv-00161-APG-NJK

**STIPULATION AND ORDER TO
DISMISS DEFENDANT THE PARKS
HOMEOWNERS ASSOCIATION**

32 Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff The Bank of New
33 York Mellon f/k/a The Bank of New York, as Trustee for the Certificateholders CWALT,
34 Inc., Alternative Loan Trust 2006-OA10 Mortgage Pass-Through Certificates
35 (hereinafter "BNYM") and Defendant The Parks Homeowners Association (hereinafter
36 "The Parks") (collectively, the "Parties"), by and through their respective counsel of
37 record, hereby stipulate as follows:

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1 1. On January 29, 2018, Plaintiff BNYM filed its Complaint in this action
2 naming The Parks and Williston Investment Group, LLC as defendants related to a
3 homeowners association foreclosure sale of real property located at 6770 Cinnabar
4 Coast LN, North Las Vegas, NV 89084; APN 124-22-314-028 (hereinafter "Property").

5 2. The Parties hereby agree that BNYM's claims against The Parks shall be
6 dismissed with prejudice, and BNYM and The Parks shall each bear its own costs and
7 fees related to this litigation.

8 3. The Parks asserts that it does not have a current ownership interest in title
9 to the Property.

10 4. The Parks specifically reserves its ongoing rights under Nevada law,
11 including NRS Chapter 116, and the governing documents, including the Covenants,
12 Conditions and Restrictions ("CC&Rs").

13 5. This dismissal does not affect any rights, claims or defenses of BNYM or
14 The Parks with respect to any other party related to the foreclosure sale of the Property.

15 **IT IS SO STIPULATED.**

16 Dated this 11th day of October, 2018.

17 ZIEVE, BRODNAX & STEELE, LLP

18 */s/ J. Stephen Dolembro*

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20 _____
21 J. Stephen Dolembro, Esq.
22 Nevada Bar 9795
23 9435 West Russell Road, #120
24 Las Vegas, NV 89148
25 Attorneys for Plaintiff, The Bank of New York
26 Mellon f/k/a The Bank of New York, as
27 Trustee for the Certificateholders CWALT,
28 Inc., Alternative Loan Trust 2006-OA10
Mortgage Pass-Through
Certificates

(electronic signature affixed with permission)

Dated this 11th day of October, 2018.

LIPSON NEILSON P.C.

/s/ Amber M. Williams

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The Bank of New York Mellon v. Williston Investment Group, LLC
Case No.: 2:18-CV-00161-APG-NJK

ORDER

Based on the foregoing stipulation, and good cause appearing,

IT IS ORDERED that Defendant THE PARKS HOMEOWNERS ASSOCIATION is hereby dismissed from this case with prejudice.

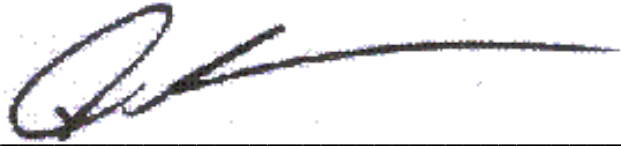
IT IS FURTHER ORDERED that Defendant THE PARKS HOMEOWNERS ASSOCIATION has no present ownership interest in title to the Property.

IT IS FURTHER ORDERED that each party shall bear its own attorneys' fees and costs.

IT IS FURTHER ORDERED that this dismissal does not affect any rights, claims or defenses of Plaintiff BNYM or THE PARKS HOMEOWNERS ASSOCIATION with respect to any other party related to the foreclosure sale of the Property.

IT IS SO ORDERED.

Dated: October 11, 2018



UNITED STATES DISTRICT JUDGE

Submitted By:

LIPSON NEILSON P.C.

/s/ Amber M. Williams

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