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 10 *Home Equity Loan Trust 2006-1*

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

13 DEUTSCHE BANK NATIONAL TRUST
 14 COMPANY, AS TRUSTEE FOR MORGAN
 15 STANLEY HOME EQUITY LOAN TRUST
 16 2006-1, a national bank,

17 **Case No.: 2:18-CV-00619-KJD-NJK**

18 Plaintiff,

19 **STIPULATION AND ORDER TO**
 20 **DISMISS TOW PROPERTIES, LLC, V**

21 vs.

22 PEPPERTREE HOMEOWNERS
 23 ASSOCIATION, a Nevada corporation; TOW
 24 PROPERTIES, LLC V, a Nevada non-profit co-
 25 op corporation,

26 Defendants.

27 TOW PROPERTIES, LLC V, a Nevada non-
 28 profit co-op corporation,

Counterclaimant,

vs.

DEUTSCHE BANK NATIONAL TRUST
 COMPANY, AS TRUSTEE FOR MORGAN
 STANLEY HOME EQUITY LOAN TRUST
 2006-1, a national bank; PEPPERTREE
 HOMEOWNERS ASSOCIATION, a Nevada
 corporation,

Counter-defendants.

1 Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff, Deutsche Bank National Trust
2 Company, as Trustee for Morgan Stanley Home Equity Loan Trust 2006-1 (hereinafter “Deutsche
3 Bank”) and Defendant Tow Properties, LLC V (hereinafter “Tow Properties”) (collectively, the
4 “Parties”), by and through their respective counsel of record, hereby stipulate as follows:

- 5 1. On April 6, 2018, Plaintiff Deutsche Bank filed its Complaint in this action naming
6 Peppertree and Tow Properties, LLC V as defendants related to a homeowners association
7 foreclosure sale of real property located at 1865 Avacado Court, Henderson, NV 89014;
8 (APN: 178-05-614-036) (hereinafter “Property”).
- 9 2. Deutsche Bank’s claims against Peppertree were dismissed by way of Stipulation and
10 Order filed on February 27, 2019. [ECF No. 36].
- 11 3. On May 14, 2018, Tow Properties filed a Counterclaim against Deutsche Bank and
12 Peppertree. [ECF No.11}
- 13 4. The Parties hereby agree that Deutsche Bank’s claims against Tow Properties shall be
14 dismissed with prejudice.
- 15 5. Deutsche Bank asserts that it does not have a current ownership interest in the title of the
16 Property.

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6. This dismissal does not affect any rights, claims or defenses of Deutsche Bank or Tow Properties with respect to any other party related to the foreclosure sale of the Property.

IT IS SO STIPULATED.

DATED this 11th day of June, 2019.

<p>ZIEVE, BRODNAX & STEELE, LLP</p> <p><u> /s/J. Stephen Dolembro, Esq. </u> J. Stephen Dolembro, Esq. Nevada Bar No. 9795 9435 West Russell Road, Suite 120 Las Vegas, Nevada 89148 Tel: (702) 948-8565 Fax: (702) 446-9898 sdolembro@zbslaw.com Attorneys for Plaintiff Deutsche Bank National Trust Company, as Trustee for Morgan Stanley Home Equity Loan Trust 2006-1</p>	<p>LEE, HERNANDEZ, LANDRUM & CARLSON</p> <p><u> /s/ Elizabeth C. Spaur, Esq. </u> Elizabeth C. Spaur, Esq. Nevada Bar No. 10446 7575 Vegas Dr., Suite 150 Las Vegas, NV 89128 Telephone: (702) 880-9750 Facsimile: (702) 314-1210 Attorney for Defendant Tow Properties, LLC V</p>
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Case No.: 2:18-cv-00619-KJD-NJK

ORDER

Based on the foregoing stipulation, and good cause appearing,

IT IS ORDERED that Defendant TOW PROPERTIES, LLC V is hereby dismissed from this case with prejudice.

IT IS FURTHER ORDERED that Plaintiff DEUTSCHE BANK has no interest in the title of the Property.

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

1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that I am an employee of ZIEVE, BRODNAX & STEELE, LLP;
3 that service of the foregoing **STIPULATION AND ORDER TO DISMISS TOW**
4 **PROPERTIES, LLC V** was made on the 11th day of June, 2019, by electronic service to all
5 parties and counsel as identified on the Court-generated Notice of Electronic Filing.

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/s/Sara Hunsaker
An employee of ZIEVE, BRODNAX &
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