

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

CORY T. EASTWOOD,
Plaintiffs,
v.
LEHMAN BROTHERS BANK, FSB; et al.,
Defendants.

3:09-cv-00656-LRH-PAL
ORDER

Before the court is defendants Aurora Loan Services, LLC (“Aurora”) and Lehman Brothers Bank, FSB’s (“LLB”) motion to expunge lis pendens filed on March 1, 2011. Doc. #66.¹ Plaintiff Cory T. Eastwood (“Eastwood”) did not file an opposition.

The failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion under LR 7-2(d). Moreover, the court finds that defendants’ motion to expunge lis pendens is warranted based on the court’s July 2, 2010 order of dismissal and Eastwood’s indication on February 11, 2011, of his “desire to abandon the legal action and voluntarily vacate the premises [of the property at issue.]” Doc. #66, Exhibit C. Accordingly, the court shall grant defendants’ motion to expunge lis pendens.

///

¹ Refers to the court’s docket entry number.

1 IT IS THEREFORE ORDERED that defendants' motion to expunge lis pendens (Doc. #66)
2 is GRANTED. Defendants Aurora Loan Services, LLC and defendant Lehman Brothers Bank,
3 FSB, shall have ten (10) days after issuance of this order to file an appropriate order expunging the
4 lis pendens and submit the same for signature.

5 IT IS SO ORDERED.

6 DATED this 3rd day of May, 2011.



8
9 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26