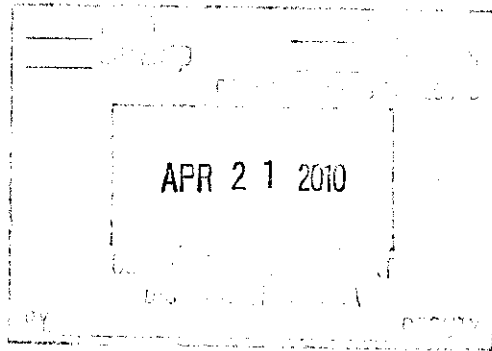


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7 Loans, Inc., Recontrust Company, N.A., Bank
of America, N.A. and BAC Home Loan Servicing LP

8 UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF NEVADA

10 PATRICIA S. ANTHONY AND WILLIAM
11 M. ANTHONY,

Case: 3:10-cv-00169-RCJ-RAM

12 Plaintiffs,

13 vs.

ORDER

14 CAPITOL COMMERCE MORTGAGE CO.;
15 COUNTRYWIDE HOME LOANS; MERS;
16 BANK OF AMERICA HOME LOANS;
17 RECONTRUST COMPANY; C.C.M.C. CO., a
California Corporation; FIRST AMERICAN
18 NATIONAL DEFAULT; BAC HOME LOAN
SERVICING LP; TIMOTHY GEITHNER,
U.S. Secretary of the Treasury; and ERIC
19 HOLDER, U.S. Attorney General as Alien
Property Custodian

20 Defendants.

21 On April 9, 2010, a hearing was conducted on Plaintiffs' motion for preliminary injunction
22 [#3]; after reviewing the pleadings and following the arguments of the parties;

23 IT IS HEREBY ORDERED that Plaintiffs' motion for preliminary injunction [#3] is
24 partially granted, subject to the following terms:

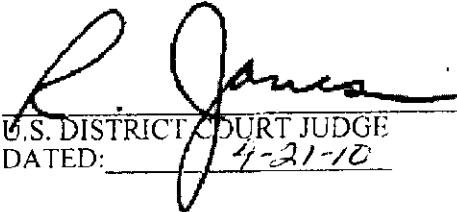
- 25 (a) The foreclosure of the property located at 3705 Anthony Place, Sun Valley,
26 Nevada, Parcel No. 026-021-56 is prohibited for 90 days from the date of this
27 Order;

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- (b) Plaintiffs shall make mortgage payments of \$700.00 on or before April 23, 2010; \$700.00 on or before May 23, 2010; and \$700.00 on or before May 23, 2010, while the injunction is in place;
- (c) The parties are to return to the state mediation program under the following conditions:
 - (i) Plaintiffs must provide Defendants with all necessary financial information/documentation so a loan modification can be processed;
 - (ii) Defendants must have an individual, with loan modification authority, present at the mediation and provide all documents required by the state mediation program;
 - (iii) At the mediation, Plaintiffs are prohibited from making any argument regarding "original note," securitization, existence of the loan, or any other vapor money theories, as contained in their Complaint; and
 - (iv) The purpose of the mediation is only to determine if Plaintiffs qualify for a loan modification and if a loan mediation can be agreed to.

IT IS FURTHER ORDERED that this case is not stayed and Defendants are permitted to proceed with the filings of any pleadings.



U.S. DISTRICT COURT JUDGE
DATED: 4-21-10