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7 *Attorneys for Plaintiff, U.S. Bank National Association, Successor Trustee to BANK OF*  
 8 *AMERICA, NATIONAL ASSOCIATION AS SUCCESSOR BY MERGER TO LASALLE BANK*  
*NATIONAL ASSOCIATION, as Trustee for ACCREDITED MORTGAGE LOAN TRUST 2004-2*

9 **UNITED STATES DISTRICT COURT**  
 10 **DISTRICT OF NEVADA**

11 U.S. BANK NATIONAL ASSOCIATION,  
 12 SUCCESSOR TRUSTEE TO BANK OF  
 AMERICA, NATIONAL ASSOCIATION AS  
 13 SUCCESSOR BY MERGER TO LASALLE  
 BANK NATIONAL ASSOCIATION, AS  
 14 TRUSTEE FOR ACCREDITED MORTGAGE  
 LOAN TRUST 2004-2,

15 Plaintiff,

16 vs.

17 THUNDER PROPERTIES, INC.; PEAVINE  
 18 ESTATES ASSOCIATION; DOE  
 19 INDIVIDUALS I through X, inclusive; and  
 ROE CORPORATIONS I through X, inclusive,

20 Defendants.  
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Case No.: 3:17-cv-00110-MMD-VPC

**STIPULATION AND ORDER TO  
 DISMISS ALL REMAINING CLAIMS  
 WITH PREJUDICE**

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1           **7.**       On September 25, 2014, a Deed in Foreclosure of Assessment Lien was recorded  
2 wherein Thunder Properties, Inc. is named as the grantee, and the purchase price is listed as  
3 \$13,800.00;

4           **8.**       On February 21, 2017, U.S. Bank filed a Complaint for Quiet Title and  
5 Declaratory Relief, among other claims, against Thunder Properties, Inc. in Case Number 3:17-  
6 cv-00110-MMD-VPC;

7           **9.**       On April 14, 2017, Thunder Properties, Inc. filed its MOTION TO DISMISS  
8 FOR FAILURE TO NAME INDISPENSIBLE PARTIES [ECF No. 7];

9           **10.**      On November 8, 2017, this Court granted Thunder Properties, Inc. and ordered  
10 Plaintiff to file an Amended Complaint to include said indispensable parties.

11           **11.**      On November 10, 2017, U.S. Bank filed its First Amended Complaint for  
12 Wrongful/Defective Foreclosure Quiet title and Declaratory Relief, among other claims, against  
13 Thunder Properties, Inc. and Peavine Estates Association (the “HOA”).

14           **12.**      The undersigned Parties have now come to a resolution regarding their respective  
15 claims and interest in the Property;

16           **13.**      All claims asserted by or against any of the undersigned Parties hereto shall be  
17 dismissed with prejudice;

18           **14.**      Nothing in this Stipulation should be construed as intended to benefit any other  
19 party not identified as the undersigned Parties hereto, and in particular, shall not constitute a  
20 waiver or relinquishment of any claims by U.S. Bank against the HOA or Borrowers; and

21           **15.**      Each Party shall bear its own fees and costs incurred in this litigation and  
22 settlement.

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1           **IT IS HEREBY STIPULATED AND AGREED** that all claims between the  
2 undersigned parties in this matter, and any and all amendments thereto, are hereby dismissed  
3 with prejudice.

4           **IT IS FURTHER STIPULATED AND AGREED** that nothing in this Stipulation and  
5 Order is intended to be, or will be, construed as an admission of the claims or defenses of the  
6 Parties;  
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8           **IT IS FURTHER STIPULATED AND AGREED** that this Stipulation and Order is in  
9 no way intended to impair the rights of U.S. Bank (or any of its authorized agents, investors,  
10 affiliates, predecessors, successors, and assigns) to pursue any and all remedies against the  
11 Borrower, as defined in the Note, that U.S. Bank (or any of its authorized agents, investors,  
12 affiliates, predecessors, successors, and assigns) may have relating to the Note, including the  
13 right to sue the Borrower for any deficiency;  
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15           **IT IS FURTHER STIPULATED AND AGREED** that Thunder Properties agrees to  
16 disclaim any and all interest, known or unknown, in the surplus funds of \$3,576.99 resulting  
17 from the HOA Sale whereby the HOA Trustee (Kern & Associates, Ltd.) on April 10, 2015  
18 (CK#2021), deposited said surplus funds with the State of Nevada Unclaimed Property Division;

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**IT IS FURTHER STIPULATED AND AGREED** that each Party shall bear its own attorney's fees and costs incurred in this litigation and settlement.

**IT IS SO STIPULATED**

DATED this 17th day of April, 2018.

DATED this 17th day of April, 2018

**WRIGHT, FINLAY & ZAK, LLP**


**ROGER P. CROTEAU & ASSOCIATES,  
LTD.**

/s/ Rock K. Jung, Esq.  
Rock K. Jung, Esq.  
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Las Vegas, NV 89148  
*Attorneys for Defendant, Thunder Properties,  
Inc.*

**ORDER**

IT IS SO ORDERED:



UNITED STATES DISTRICT JUDGE

DATED: April 17, 2018

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of WRIGHT, FINLAY & ZAK, LLP, and that service of the foregoing **STIPULATION AND ORDER TO DISMISS ALL REMAINING CLAIMS WITH PREJUDICE** was made on this 17th day of April, 2018, through the CM/ECF Electronic Filing system, and/or by depositing a true and correct copy in the United States Mail, addressed as follows

Timothy E. Rhoda, Esq.  
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*Attorney for Defendant,  
Thunder Properties, Inc.*

*/s/ Kelli Wightman*  
An Employee of Wright, Finlay & Zak, LLP