

Electronically Filed
Oct 30 2013 11:22 a.m.
CLERK OF THE COURT
Tracie K. Lindeman
Clerk of Supreme Court

ANOT

HOWARD C. KIM, ESQ.
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Henderson, Nevada 89014
Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorneys for SFR Investments Pool 1, LLC

DISTRICT COURT

CLARK COUNTY, NEVADA

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company,

Plaintiff,

vs.

U.S. BANK, N.A., a national banking
association as Trustee for the Certificate
Holders of Wells Fargo Asset Securities
Corporation, Mortgage Pass-Through
Certificates, Series 2006-AR4 and LUCIA
PARKS, an individual, DOES I through X;
and ROE CORPORATIONS I through X,
inclusive,

Defendants.

Case No. A-13-678814-C

Dept. No. XVIII

AMENDED NOTICE OF APPEAL

Notice is hereby given that Plaintiff SFR Investment Pool I, LLC, by and through its attorneys of record, Howard Kim & Associates, hereby amends its notice of appeal, filed on July 12, 2013, and appeals to the Supreme Court of the State of Nevada from the following orders or judgments:

1. All judgments and orders in this case;
2. "Order Denying Plaintiff's Motion for Preliminary Injunction" entered on June 10, 2013, notice of entry of which was served on June 11, 2013;

HOWARD KIM & ASSOCIATES
1055 WHITNEY RANCH DRIVE, SUITE 110
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(702) 485-3300 FAX (702) 485-3301

(702) 485-3300 FAX (702) 485-3301

DEPARTMENT 18
CASE SUMMARY
CASE NO. A-13-678814-C

SFR Investments Pool 1, LLC, Plaintiff(s)
vs.
US Bank, Defendant(s)

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§
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§
§
§

Location: **Department 18**
Judicial Officer: **Barker, David**
Filed on: **03/22/2013**
Cross-Reference Case Number: **A678814**
Supreme Court No.: **63614**

CASE INFORMATION

Statistical Closures

06/18/2013 Motion to Dismiss (By Defendant)

Case Type: **Title to Property**

Subtype: **Quiet Title**

Case Flags: **Appealed to Supreme Court**
Automatically Exempt from Arbitration

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number A-13-678814-C
Court Department 18
Date Assigned 03/22/2013
Judicial Officer Barker, David

PARTY INFORMATION

Plaintiff

SFR Investments Pool 1, LLC

Lead Attorneys

Howard, Kim C., ESQ
Retained
702-485-3300(W)

Defendant

Parks, Lucia

Removed: 06/11/2013
Dismissed

Albright, D. Chris
Retained
7023847111(W)

US Bank

Crowton, Chelsea A., ESQ
Retained
702-475-7969(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX


03/22/2013

 Notice of Lis Pendens
Filed by: Plaintiff SFR Investments Pool 1, LLC
Notice of Lis Pendens


03/22/2013

Case Opened


03/22/2013

 Complaint
Filed By: Plaintiff SFR Investments Pool 1, LLC
Complaint for Quiet Title and Injunctive Relief














03/27/2013

 Motion for Temporary Restraining Order
Filed By: Plaintiff SFR Investments Pool 1, LLC
Application for Temporary Restraining Order on Order Shortening Time and Motion for Preliminary Injunction

03/28/2013














 Notice of Posting Bond
Filed By: Defendant US Bank
Notice of Posting and Acceptance of Bond

DEPARTMENT 18
CASE SUMMARY
CASE NO. A-13-678814-C

03/28/2013	 Motion for Preliminary Injunction (8:15 AM) (Judicial Officer: Barker, David) Events: 03/27/2013 Motion for Temporary Restraining Order <i>Plaintiff's Application for Temporary Restraining Order on Order Shortening Time and Motion for Preliminary Injunction</i>
03/28/2013	 Temporary Restraining Order Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Temporary Restraining Order Enjoining Sale and Order Setting Briefing Schedule for Preliminary Injunction</i>
03/29/2013	 Notice of Posting Bond Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Notice of Posting and Acceptance of Bond</i>
04/01/2013	 Summons Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Summons - Lucia Parks</i>
04/01/2013	 Summons Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Summons - U.S. Bank, N.A.</i>
04/01/2013	 Affidavit of Service Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Affidavit of Service - US Bank</i>
04/01/2013	 Affidavit of Service Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Affidavit of Service</i>
04/03/2013	 Affidavit of Service Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Affidavit of Service - U.S. Bank</i>
04/10/2013	 Notice of Appearance Party: Defendant US Bank <i>Notice of Appearance</i>
04/10/2013	 Initial Appearance Fee Disclosure Filed By: Defendant US Bank <i>Initial Appearance Fee Disclosure</i>
04/10/2013	 Notice of Removal Filed By: Defendant US Bank <i>Notice of Petition for Removal</i>
04/11/2013	 Motion for Preliminary Injunction (8:15 AM) (Judicial Officer: Barker, David) 04/11/2013, 05/16/2013 Events: 03/28/2013 Temporary Restraining Order <i>Plaintiff's Motion for Preliminary Injunction</i>
04/17/2013	 Notice Filed By: Defendant US Bank

DEPARTMENT 18
CASE SUMMARY
CASE NO. A-13-678814-C












Notice of Remand

04/19/2013	 Answer to Complaint Filed by: Defendant Parks, Lucia <i>Answer to Complaint for Quiet Title and Injunctive Relief</i>
04/25/2013	 Response Filed by: Defendant US Bank <i>Defendant, U.S. Bank, N.A.'s, Response to the Motion for Preliminary Injunction</i>
04/25/2013	 Request for Judicial Notice Filed By: Defendant US Bank <i>Defendant, U.S. Bank, N.A.'s, Request for Judicial Notice in Support of the Response to the Plaintiff's Motion for Preliminary Injunction</i>
04/29/2013	 Affidavit of Service Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Affidavit of Service - Lucia Parks</i>
04/30/2013	 Motion to Dismiss Filed By: Defendant US Bank <i>Defendant, U.S. Bank, N.A.'s, Motion to Dismiss with Prejudice the Plaintiff's Complaint</i>
04/30/2013	 Motion to Expunge Lis Pendens Filed By: Defendant US Bank <i>Defendant US Bank's Motion to Expunge Lis Pendens</i>
05/02/2013	 Certificate of Mailing Filed By: Defendant US Bank <i>Certificate of Mailing</i>
05/03/2013	 Notice of Entry of Order Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Notice of Entry of Order</i>
05/09/2013	 Exhibits Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Exhibits in Support of Application for Temporary Restraining Order on Order Shortening Time and Motion for Preliminary Injunction</i>
05/14/2013	 Certificate of Service Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Certificate of Service</i>
05/14/2013	 Notice Filed By: Defendant Parks, Lucia <i>Notice of Joinder in Defendant U.S. Bank N.A.'s Motion to Expunge Lis Pendens</i>
05/14/2013	 Notice Filed By: Defendant Parks, Lucia <i>Notice of Joinder in Defendant U.S. Bank N.A.'s Motion to Dismiss with Prejudice the Plaintiff's Complaint</i>
05/14/2013	 Notice

DEPARTMENT 18
CASE SUMMARY
CASE NO. A-13-678814-C

	Filed By: Defendant Parks, Lucia <i>Notice of Joinder in Plaintiff's Motion for Preliminary Injunction</i>
05/14/2013	 Reply in Support Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Reply in Support of Motion for Preliminary Injunction</i>
05/15/2013	 Opposition to Motion Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Opposition to Motion to Expunge Lis Pendens</i>
05/16/2013	Motion to Expunge Lis Pendens (8:15 AM) (Judicial Officer: Barker, David) 05/16/2013, 06/04/2013 Events: 04/30/2013 Motion to Expunge Lis Pendens <i>Defendant US Bank's Motion to Expunge Lis Pendens</i>
05/16/2013	Joinder (8:15 AM) (Judicial Officer: Barker, David) <i>Defendant Lucia Parks' Notice of Joinder in Plaintiff's Motion for Preliminary Injunction</i>
05/16/2013	Joinder (8:15 AM) (Judicial Officer: Barker, David) 05/16/2013, 06/04/2013 Events: 05/14/2013 Notice <i>Defendant Lucia Parks' Notice of Joinder in Defendant U.S. Bank N.A.'s Motion to Expunge Lis Pendens</i>
05/16/2013	 All Pending Motions (8:15 AM) (Judicial Officer: Barker, David)
05/16/2013	 Notice Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Notice of Receipt of Funds Being Held in Trust</i>
05/17/2013	 Decision (8:33 AM) (Judicial Officer: Barker, David) <i>Decision: Pltf's Motion for Preliminary Injunction & Deft. Lucia Parks' Notice of Joinder in Pltf's Motion for Preliminary Injunction</i>
05/23/2013	 Reply in Support Filed By: Defendant US Bank <i>Reply in Support of Defendant, U.S. Bank, N.A.'s, Motion to Expunge Lis Pendens</i>
05/24/2013	 Opposition to Motion to Dismiss Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Opposition to U.S. Bank's Motion to Dismiss</i>
05/28/2013	 Certificate of Service Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Certificate of Service</i>
05/29/2013	 Reporters Transcript <i>Transcript of Proceedings: Motions, heard May 16, 2013</i>
05/29/2013	 Reply in Support Filed By: Defendant US Bank <i>Defendant, U.S. Bank, N.A.'s, Reply in Support of the Motion to Dismiss with Prejudice the Plaintiff's Complaint</i>
05/30/2013	

DEPARTMENT 18
CASE SUMMARY
CASE NO. A-13-678814-C

	 Certificate of Mailing Filed By: Defendant US Bank <i>Certificate of Mailing</i>
05/31/2013	 Supplemental Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Supplement to Opposition to Motion to Dismiss</i>
05/31/2013	 Certificate of Service Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Certificate of Service</i>
06/04/2013	Motion to Dismiss (8:15 AM) (Judicial Officer: Barker, David) Events: 04/30/2013 Motion to Dismiss <i>Defendant, U.S. Bank, N.A.'s, Motion to Dismiss with Prejudice the Plaintiff's Complaint</i>
06/04/2013	Joinder (8:15 AM) (Judicial Officer: Barker, David) <i>Defendant Lucia Parks' Joinder in Defendant U.S. Bank N.A.'s Motion to Dismiss with Prejudice the Plaintiff's Complaint</i>
06/04/2013	 All Pending Motions (8:15 AM) (Judicial Officer: Barker, David)
06/10/2013	 Order Denying Motion Filed By: Defendant US Bank <i>Order Denying Plaintiff's Motion for Preliminary Injunction</i>
06/11/2013	 Order for Dismissal Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Order for Dismissal and Cancellation of Notice of Pendency of Action</i>
06/11/2013	 Notice of Entry of Order Filed By: Defendant US Bank
06/11/2013	Order of Dismissal With Prejudice (Judicial Officer: Barker, David) Debtors: SFR Investments Pool 1, LLC (Plaintiff) Creditors: US Bank (Defendant) Judgment: 06/11/2013, Docketed: 06/18/2013
06/12/2013	 Notice of Entry of Order
06/17/2013	 Order to Statistically Close Case <i>Civil Order to Statistically Close Case</i>
06/26/2013	 Motion to Amend Judgment Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Motion to Alter or Amend Judgment</i>
06/27/2013	 Certificate of Service Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Certificate of Service</i>
07/09/2013	CANCELED Decision (3:00 AM) (Judicial Officer: Barker, David) <i>Vacated - Moot</i> <i>Decision Re: Defendant Lucia Parks' Joinder in Defendant U.S. Bank's Motion to Dismiss with Prejudice Plaintiff's Complaint ... Defendant U.S. Bank's Motion to Expunge Lis Pendens ...</i>





CASE SUMMARY

CASE NO. A-13-678814-C

*Defendant Lucia Parks' Joinder to Defendant U.S. Bank's Motion to Expunge Lis Pendens ...
Defendant U.S. Bank's Motion to Dismiss with Prejudice Plaintiff's Complaint*

07/12/2013	 Notice of Appeal Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Notice of Appeal</i>
07/12/2013	 Case Appeal Statement Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Case Appeal Statement</i>
07/17/2013	 Opposition Filed By: Defendant US Bank <i>Defendant, U.S. Bank, N.A.'s Opposition to the Plaintiff's Motion to Alter or Amend Judgment</i>
07/17/2013	 Certificate of Service Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Certificate of Service</i>
07/18/2013	 Response Filed by: Defendant Parks, Lucia <i>Response and Opposition to Plaintiff's Motion to Alter or Amend Judgment; and Joinder in Defendant US Bank's Opposition</i>
07/23/2013	 Reply Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Reply in Support of Motion to Alter or Amend Judgment</i>
07/24/2013	 Errata Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Notice of Errata</i>
07/24/2013	 Certificate of Service Filed by: Plaintiff SFR Investments Pool 1, LLC <i>Certificate of Service</i>
07/29/2013	 Response Filed by: Defendant Parks, Lucia <i>Supplement to Response and Opposition to Plaintiff's Motion to Alter Or Amend Judgment; and Joinder in Defendant Us Bank's Opposition</i>
07/30/2013	 Motion to Amend Judgment (8:15 AM) (Judicial Officer: Barker, David) Events: 06/26/2013 Motion to Amend Judgment <i>Plaintiff's Motion to Alter or Amend Judgment</i>
08/05/2013	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings: Plaintiff's Motion to Alter or Amend Judgment, heard July 30, 2013</i>
08/05/2013	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings: Defendant Lucia Parks' Joinder in U.S. Bank's Motion to Dismiss with Prejudice; Defendant U.S. Bank's Motion to Expunge Lis Pendens; Defendant Lucia Parks' Notice of Joinder in Defendant U.S. Bank's Motion to Expunge Lis Pendens; Defendant U.S. Bank's Motion to Dismiss with Prejudice, heard June 4, 2013</i>

DEPARTMENT 18
CASE SUMMARY
CASE NO. A-13-678814-C

09/19/2013	 Notice of Change of Address Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Notice of Change of Address and Notice of Change of Attorney</i>
09/25/2013	 Notice of Entry of Order Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Notice of Entry of Order</i>
09/25/2013	 Order Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Order Granting in Part and Denying in Part Plaintiff's Motion to Alter or Amend Judgment</i>
09/25/2013	Amended Order of Dismissal Without Prejudice (Judicial Officer: Barker, David) Debtors: SFR Investments Pool 1, LLC (Plaintiff) Creditors: Lucia Parks (Defendant) Judgment: 09/25/2013, Docketed: 10/03/2013
10/26/2013	 Amended Notice Filed By: Plaintiff SFR Investments Pool 1, LLC <i>Amended Notice of Appeal</i>

DATE	FINANCIAL INFORMATION
	Defendant Parks, Lucia Total Charges 223.00 Total Payments and Credits 223.00 Balance Due as of 10/29/2013 0.00
	Defendant US Bank Total Charges 258.00 Total Payments and Credits 258.00 Balance Due as of 10/29/2013 0.00
	Plaintiff SFR Investments Pool 1, LLC Total Charges 297.00 Total Payments and Credits 297.00 Balance Due as of 10/29/2013 0.00
	Plaintiff SFR Investments Pool 1, LLC TEMPORARY RESTRAINING ORDER Balance as of 10/29/2013 500.00
	Plaintiff SFR Investments Pool 1, LLC APPEAL BOND Balance as of 10/29/2013 500.00

I. Party Information

Plaintiff(s) (name/address/phone): SFR INVESTMENTS POOL1, LLC	Defendant(s) (name/address/phone): US BANK, N.A., a national banking association as Trustee for the Certificate Holders of Wells Fargo Asset Securities Corporation, Mortgage Pass- Through Certificates, Series 2006-AR4 and LUCIA PARKS, an individual, DOES I through X; and ROE CORPORATIONS I through X, inclusive
Attorney (name/address/phone): Howard C. Kim, Esq. and Diana S. Cline, Esq., Howard Kim and Associates, 400 North Stephanie St., Suite 160, Henderson , Nevada 89014; (702) 485-3300	Attorney (name/address/phone):

II. Nature of Controversy (Please check applicable bold category and
applicable subcategory, if appropriate)

☐ Arbitration Requested

Civil Cases		
Real Property	Torts	
<div><input type="checkbox"/> Landlord/Tenant<div><input type="checkbox"/> Unlawful Detainer</div></div> <div><input checked="" type="checkbox"/> Title to Property<div><input type="checkbox"/> Foreclosure</div><div><input type="checkbox"/> Liens</div><div><input checked="" type="checkbox"/> Quiet Title</div><div><input type="checkbox"/> Specific Performance</div></div>		

☐ Condemnation/Eminent Domain☐ Other Real Property

☐ Partition

☐ Planning/Zoning

III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only.)

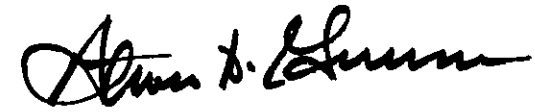
<input type="checkbox"/> NRS Chapters 78-88	<input type="checkbox"/> Investments (NRS 104 Art. 8)	<input type="checkbox"/> Enhanced Case Mgmt/Business
<input type="checkbox"/> Commodities (NRS 90)	<input type="checkbox"/> Deceptive Trade Practices (NRS 598)	<input type="checkbox"/> Other Business Court Matters
<input type="checkbox"/> Securities (NRS 90)	<input type="checkbox"/> Trademarks (NRS 600A)	

03/22/13

Date

/s/ Diana S. Cline

Signature of initiating party or representative



CLERK OF THE COURT

ORDER

WRIGHT, FINLAY & ZAK, LLP

Chelsea A. Crowton, Esq.

Nevada Bar No. 11547

5532 South Fort Apache Road, Suite 110

Las Vegas, NV 89148

(702) 475-7964; Fax: (702) 946-1345

ccrowton@wrightlegal.net

Attorney for Defendant,

U.S. Bank, N.A., as Trustee for the Certificate Holders of Wells Fargo Asset Securities

Corporation, Mortgage Pass-Through Certificates, Series 2006-AR4

DISTRICT COURT
CLARK COUNTY, NEVADA

SFR INVESTMENTS POOL 1, LLC, a Nevada
limited liability company

Plaintiff,

vs.

US BANK, N.A., a national banking association
as Trustee for the Certificate Holders of Wells
Fargo Asset Securities Corporation, Mortgage
Pass-Through Certificates, Series 2006-AR4,
and LUCIA PARKS, an individual; DOES I
through X, and ROE CORPORATIONS I
through X, inclusive.

Defendants.

Case No.: A-13-678814-C

Dept. No.: XVIII

ORDER DENYING PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTION

The Plaintiff's Motion for Preliminary Injunction having come on for hearing in the
above-entitled Court on May ¹⁶17, 2013 at the hour of ^{8:15}8:30 A.M. The Plaintiff, SFR Investments
Pool 1, LLC, appearing by and through its counsel of record, Diana S. Cline, Esq., of Howard
Kim & Associates; the Defendant, U.S. Bank, N.A., as Trustee for the Certificate Holders of
Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2006-
AR4, appearing by and through its counsel of record, Chelsea A. Crowton, Esq., of Wright,
Finlay & Zak, LLP, and the Court having considered all arguments presented, the pleadings on
///

1 file herein, and determining that good cause appearing, hereby rules as follows:

2 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiff's Motion
3 for Preliminary injunction is hereby denied.

4 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that a stay of thirty (30)
5 days is imposed from the date of service of the Notice of Entry of the Order Denying Plaintiff's
6 Motion for Preliminary Injunction, during which time Defendant, U.S. Bank, N.A., as Trustee
7 for the Certificate Holders of Wells Fargo Asset Securities Corporation, Mortgage Pass-Through
8 Certificates, Series 2006-AR4, its successors, assigns, and agents, are restrained and enjoined
9 from foreclosing on, selling, transferring, or otherwise conveying the real property commonly
10 known as 2270 Nashville Avenue, Henderson, Nevada 89052, Parcel No. 178-19-712-012.

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1 **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that Defendant, Lucia
2 Park's, Notice of Joinder is hereby granted.

3 **IT IS SO ORDERED.**

4 Dated this _____ day of May, 2013.

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6 
7 _____
8 DISTRICT COURT JUDGE

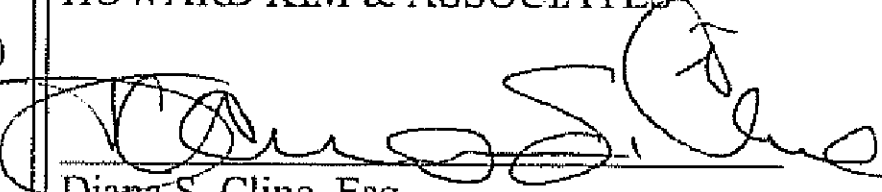
8 Respectfully Submitted by:

9
10 
11 WRIGHT, FINLAY & ZAK, LLP

12 Chelsea A. Crowton, Esq.
13 Nevada Bar No. 11547
14 5532 South Fort Apache Road, Suite 110
15 Las Vegas, NV 89148
16 Attorney for Defendant, U.S. Bank, N.A.,
17 as Trustee for the Certificate Holders of
18 Wells Fargo Asset Securities Corporation,
19 Mortgage Pass-Through Certificates,
20 Series 2006-AR4

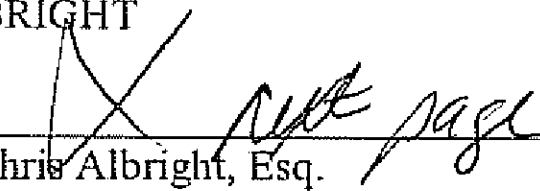
21 Reviewed by:

22 HOWARD KIM & ASSOCIATES

23 
24 Diana S. Cline, Esq.
25 Nevada Bar No. 10580
26 400 N. Stephanie St, Suite 160
27 Henderson, Nevada 89014
28 Attorney for Plaintiff,
 SFR Investments Pool 1, LLC

 Approved by:

 ALBRIGHT, STODDARD, WARNICK &
 ALBRIGHT


 D. Chris Albright, Esq.
 Nevada Bar No. 4904
 801 South Rancho Drive, Suite D-4
 Las Vegas, NV 89106
 Attorney for Defendant, Lucia Parks

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IT IS HEREBY ORDERED ADJUDGED AND DECREED that Defendant, Lucia
Park's, Notice of Joinder is hereby granted.


IT IS SO ORDERED.

Dated this 17th day of June, 2013.



DISTRICT COURT JUDGE 73

Respectfully Submitted by:



WRIGHT FINLAY & ZAK, LLP
Chelsea A. Crowton, Esq.
Nevada Bar No. 11547
5532 South Fort Apache Road, Suite 110
Las Vegas, NV 89148
*Attorney for Defendant, U.S. Bank, N.A.,
as Trustee for the Certificate Holders of
Wells Fargo Asset Securities Corporation,
Mortgage Pass-Through Certificates,
Series 2006-AR4*


Reviewed by:

HOWARD KIM & ASSOCIATES

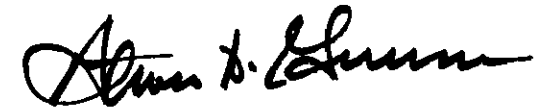
Diana S. Cline, Esq.
Nevada Bar No. 10580
400 N. Stephanie St, Suite 160
Henderson, Nevada 89014
*Attorney for Plaintiff,
SFR Investments Pool I, LLC*

Approved by:

ALBRIGHT, STODDARD, WARNICK &
ALBRIGHT



D. Chris Albright, Esq.
Nevada Bar No. 4904
801 South Rancho Drive, Suite D-4
Las Vegas, NV 89106
Attorney for Defendant, Lucia Parks



CLERK OF THE COURT

1 **NEOJ**
2 **WRIGHT, FINLAY & ZAK, LLP**
3 Chelsea A. Crowton, Esq.
4 Nevada Bar No. 11547
5 5532 South Fort Apache Road, Suite 110
6 Las Vegas, NV 89148
7 (702) 475-7964; Fax: (702) 946-1345
8 ccrowton@wrightlegal.net
9 *Attorney for Defendant,*
10 *U.S. Bank, N.A., as Trustee for the Certificate Holders of Wells Fargo Asset Securities*
11 *Corporation, Mortgage Pass-Through Certificates, Series 2006-AR4*

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 **SFR INVESTMENTS POOL, LLC, a Nevada**
11 **limited liability company**

Case No.: A-13-678814-C
Dept. No.: XVIII

12 **Plaintiff,**

NOTICE OF ENTRY OF ORDER

13 **vs.**

14 **US BANK, N.A., a national banking association**
15 **as Trustee for the Certificate Holders of Wells**
16 **Fargo Asset Securities Corporation, Mortgage**
17 **Pass-Through Certificates, Series 2006-AR4,**
18 **and LUCIA PARKS, an individual; DOES I**
19 **through X, and ROE CORPORATIONS I**
20 **through X, inclusive.**

21 **Defendants.**

22 **TO ALL INTERESTED PARTIES:**

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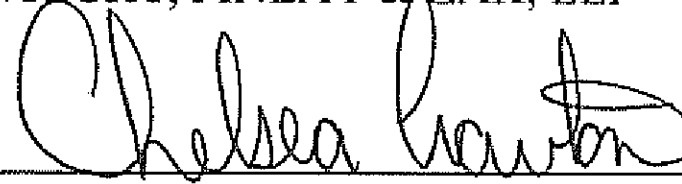
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1 PLEASE TAKE NOTICE that an Order Denying Plaintiff's Motion for Preliminary
2 Injunction was entered in the above-entitled Court on the 10th day of June, 2013, a copy of which
3 is attached hereto.

4 DATED this 10th day of June, 2013.
5

6 WRIGHT, FINLAY & ZAK, LLP

7 

8 Chelsea A. Crowton, Esq.

9 Nevada Bar No. 11547

10 5532 South Fort Apache Road, Suite 110

11 Las Vegas, NV 89148

12 *Attorney for Defendant, U.S. Bank, N.A., as Trustee*
13 *for the Certificate Holders of Wells Fargo Asset*
14 *Securities Corporation, Mortgage Pass-Through*
15 *Certificates, Series 2006-AR4*

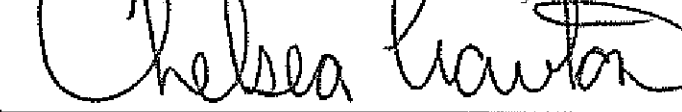
16 **AFFIRMATION**

17 Pursuant to N.R.S. 239B.030

18 The undersigned does hereby affirm that the preceding **NOTICE OF ENTRY OF**
19 **ORDER** filed in Case No. A-13-678814-C **does not** contain the social security number of any
20 person.

21 DATED this 10th day of June, 2013.
22

23 WRIGHT, FINLAY & ZAK, LLP

24 

25 Chelsea A. Crowton, Esq.

26 Nevada Bar No. 11547

27 5532 South Fort Apache Road, Suite 110

28 Las Vegas, NV 89148

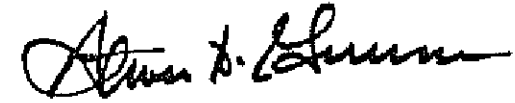
Attorney for Defendant, U.S. Bank, N.A., as Trustee
for the Certificate Holders of Wells Fargo Asset
Securities Corporation, Mortgage Pass-Through
Certificates, Series 2006-AR4

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I HEREBY CERTIFY that I am an employee of WRIGHT, FINLAY & ZAK, LLP; that service of the foregoing NOTICE OF ENTRY OF ORDER was made on the **10th** day of June, 2013, by depositing a true copy of same in the United States Mail, at Las Vegas, Nevada, addressed as follows:

Howard C. Kim, Esq.
Diana S. Cline, Esq.
Victoria L. Hightower, Esq.
HOWARD KIM & ASSOCIATES
400 N. Stephanie St., Suite 160
Henderson, NV 89014
Attorneys for Plaintiff

/s/ Ashley Renteria
An Employee of WRIGHT, FINLAY & ZAK, LLP



CLERK OF THE COURT

1 **ORDER**

2 **WRIGHT, FINLAY & ZAK, LLP**

3 **Chelsea A. Crowton, Esq.**

4 **Nevada Bar No. 11547**

5 **5532 South Fort Apache Road, Suite 110**

6 **Las Vegas, NV 89148**

7 **(702) 475-7964; Fax: (702) 946-1345**

8 **ccrowton@wrightlegal.net**

9 ***Attorney for Defendant,***

10 ***U.S. Bank, N.A., as Trustee for the Certificate Holders of Wells Fargo Asset Securities***

11 ***Corporation, Mortgage Pass-Through Certificates, Series 2006-AR4***

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 **SFR INVESTMENTS POOL 1, LLC, a Nevada**

15 **limited liability company**

16 **Plaintiff,**

17 **vs.**

18 **US BANK, N.A., a national banking association**

19 **as Trustee for the Certificate Holders of Wells**

20 **Fargo Asset Securities Corporation, Mortgage**

21 **Pass-Through Certificates, Series 2006-AR4,**

22 **and LUCIA PARKS, an individual; DOES I**

23 **through X, and ROE CORPORATIONS I**

24 **through X, inclusive.**

25 **Defendants.**

Case No.: A-13-678814-C

Dept. No.: XVIII

26 **ORDER DENYING PLAINTIFF'S**

27 **MOTION FOR PRELIMINARY**

28 **INJUNCTION**

29 The Plaintiff's Motion for Preliminary Injunction having come on for hearing in the

30 above-entitled Court on May ¹⁶7, 2013 at the hour of ^{8:15}8:30 A.M. The Plaintiff, SFR Investments

31 Pool 1, LLC, appearing by and through its counsel of record, Diana S. Cline, Esq., of Howard

32 Kim & Associates; the Defendant, U.S. Bank, N.A., as Trustee for the Certificate Holders of

33 Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2006-

34 AR4, appearing by and through its counsel of record, Chelsea A. Crowton, Esq., of Wright,

35 Finlay & Zak, LLP, and the Court having considered all arguments presented, the pleadings on

36 ///

1 file herein, and determining that good cause appearing, hereby rules as follows:

2 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Plaintiff's Motion
3 for Preliminary injunction is hereby denied.

4 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that a stay of thirty (30)
5 days is imposed from the date of service of the Notice of Entry of the Order Denying Plaintiff's
6 Motion for Preliminary Injunction, during which time Defendant, U.S. Bank, N.A., as Trustee
7 for the Certificate Holders of Wells Fargo Asset Securities Corporation, Mortgage Pass-Through
8 Certificates, Series 2006-AR4, its successors, assigns, and agents, are restrained and enjoined
9 from foreclosing on, selling, transferring, or otherwise conveying the real property commonly
10 known as 2270 Nashville Avenue, Henderson, Nevada 89052, Parcel No. 178-19-712-012.

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IT IS HEREBY ORDERED ADJUDGED AND DECREED that Defendant, Lucia Park's, Notice of Joinder is hereby granted.

IT IS SO ORDERED.

Dated this _____ day of May, 2013.

DISTRICT COURT JUDGE

Respectfully Submitted by:

WRIGHT, FINLAY & ZAK, LLP

Chelsea A. Crowton, Esq.

Nevada Bar No. 11547

5532 South Fort Apache Road, Suite 110

Las Vegas, NV 89148

Attorney for Defendant, U.S. Bank, N.A.,

as Trustee for the Certificate Holders of

Wells Fargo Asset Securities Corporation,

Mortgage Pass-Through Certificates.

Series 2006-AR4

Reviewed by:

HOWARD KIM & ASSOCIATES

Approved by:

ALBRIGHT, STODDARD, WARNICK &
ALBRIGHT /

~~Diana S. Cline, Esq.~~

Nevada Bar No. 10580

400 N. Stephanie St, Suite 160

Henderson, Nevada 89014

Attorney for Plaintiff,

SFR Investments Pool 1, LLC

D. Chris Albright, Esq.

Nevada Bar No. 4904

801 South Rancho Drive, Suite D-4

Las Vegas, NV 89106

Attorney for Defendant, Lucia Parks

1 IT IS HEREBY ORDERED ADJUDGED AND DECREED that Defendant, Lucia
2 Park's, Notice of Joinder is hereby granted.

3 IT IS SO ORDERED.

4 Dated this 7th day of June ~~May~~, 2013.

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DISTRICT COURT JUDGE 

Respectfully Submitted by:

WRIGHT FINLAY & ZACK, LLP

Chelsea A. Crowton, Esq.

Nevada Bar No. 11547

5532 South Fort Apache Road, Suite 110

Las Vegas, NV 89148

*Attorney for Defendant, U.S. Bank, N.A.,
as Trustee for the Certificate Holders of
Wells Fargo Asset Securities Corporation,
Mortgage Pass-Through Certificates,
Series 2006-AR4*

Reviewed by:

HOWARD KIM & ASSOCIATES

Diana S. Cline, Esq.

Nevada Bar No. 10580

400 N. Stephanie St, Suite 160

Henderson, Nevada 89014

Attorney for Plaintiff,

SFR Investments Pool 1, LLC

Approved by:

ALBRIGHT, STODDARD, WARNICK &
ALBRIGHT



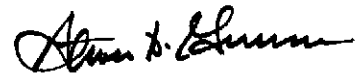
D. Chris Albright, Esq.

Nevada Bar No. 4904

801 South Rancho Drive, Suite D-4

Las Vegas, NV 89106

Attorney for Defendant, Lucia Parks



CLERK OF THE COURT

1 **ORDM**

2
3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**

5
6 SFR INVESTMENTS POOL 1, LLC,

7 Plaintiff,

8 vs.

9 U.S. BANK, N.A., LUCIA PARKS,

10 Defendants.

CASE NO. A-13-678814-C
DEPT NO. XVIII

ORDER FOR DISMISSAL
AND CANCELLATION OF NOTICE
OF PENDENCY OF ACTION

11
12
13 Defendant U.S. Bank N.A.'s Motion to Dismiss with Prejudice Plaintiff's
14 Complaint, and Motion to Expunge Lis Pendens, and Defendant Lucia Parks' Joinders
15 thereto came on for a hearing before the above-entitled Court on June 4, 2013, with Judge
16 David Barker presiding. The Court, having considered all of the pleadings on file herein,
17 and having considered the arguments of counsel, hereby finds as follows:

18 1. This matter concerns property commonly known as 2270 Nashville Avenue,
19 Henderson, Nevada, 89052, Parcel No. 178-19-712-012 (the "Property").

20 2. On or about January 5, 2006, Defendant Lucia Parks obtained title to the
21 Property through a Grant Bargain Sale Deed from Albert Brandelli and Mary Brandelli
22 which was recorded in the Clark County Recorder's Office. Parks executed a Deed of
23 Trust and Note whereby Wells Fargo Bank, N.A. was stated as the Lender and United Title
24 of Nevada as the Trustee under the Deed of Trust.

25 3. On or about February 24, 2010, a Notice of Default and Election to Sell
26 under Deed of Trust was recorded in the Clark County Recorder's Office.

27 4. On or about May 24, 2012, a Notice of Delinquent Assessment Lien was
28 recorded in the Clark County Recorder's Office.

1 5. On or about June 7, 2012, Wells Fargo Bank, N.A. recorded an Assignment
2 of Deed of Trust against the Property to U.S. Bank National Association ("U.S. Bank,
3 N.A."), as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through,
4 Certificates Series 2006-AR4 in the Clark County Recorder's Office.

5 6. On or about February 7, 2013, Nevada Association Services, Inc., agent for
6 Copper Ridge Community Homeowners Association ("HOA") recorded a Notice of
7 Trustee's Sale in the Clark County Recorder's Office.

8 7. On or about March 6, 2013, Plaintiff acquired the Property in a foreclosure
9 sale and the Foreclosure Deed was recorded in the Clark County Recorder's Office.

10 8. NRS 116.3116 governs homeowners' association liens. It states in part that
11 an assessment lien by a homeowners' association "is prior to all other liens and
12 encumbrances on a unit except...(b) A first security interest on the unit recorded before the
13 date on which the assessment sought to be enforced became delinquent..." NRS
14 116.3116(2)(b).

15 9. Here the first security interest Deed of Trust was first in time and prior to the
16 assessment lien of the homeowner's association.

17 10. While NRS 116.3116 provides that the assessment lien is prior to the first
18 security interest Deed "to the extent of any charges incurred by the association on a unit
19 pursuant to NRS 116.310312 and to the extent of the assessments for common expenses
20 based on the periodic budget adopted by the association pursuant to NRS 116.3115 which
21 would have become due in the absence of acceleration during the 9 months immediately
22 preceding institution of an action to enforce the lien," this provision refers to a judicial
23 foreclosure "action" and is not applicable when the HOA foreclosed its lien under NRS
24 116.31162-NRS 116.31168, the nonjudicial foreclosure statutes.

25 11. The HOA may have a priority for payment of its lien, but the first security
26 interest Deed was not extinguished by the foreclosure sale conducted by the HOA.
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1 12. Plaintiff cannot quiet title or obtain declaratory relief seeking to extinguish
2 the first security interest Deed.

3 13. Plaintiff has not presented a viable basis upon which the Court could grant a
4 preliminary or permanent injunction.

5 14. Plaintiff has not presented a viable claim for Unjust Enrichment.

6 IT IS THEREFORE ORDERED that Defendant U.S. Bank, N.A.'s Motion to
7 Dismiss With Prejudice Plaintiff's Complaint is GRANTED. And, it is further

8 ORDERED, that Defendant Lucia Parks' Joinder in Defendant U.S. Bank, N.A.'s
9 Motion to Dismiss With Prejudice Plaintiff's Complaint is GRANTED. And it is further

10 ORDERED, that Defendant U.S. Bank, N.A.'s Motion to Expunge Lis Pendens,
11 joined by Defendant Lucia Parks, is GRANTED. And, it is further

12 ORDERED, that the notice of pendency of action is hereby cancelled, and this
13 cancellation has the same effect as an expungement of the original notice. And it is further

14 ORDERED, that Plaintiff shall record with the Clark County Recorder a copy of
15 this order of cancellation of the notice of pendency of action. And, it is further

16 ORDERED, that this case is dismissed in its entirety.

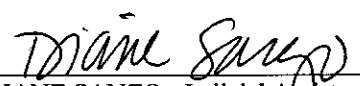
17 DATED this 11th day of June, 2013

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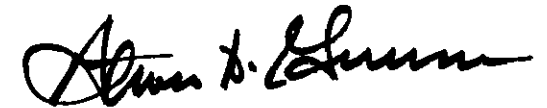

DISTRICT JUDGE

I hereby certify that on the date filed, I mailed or
placed a copy of this Order in the Attorney's folder
in the Clerk's Office to:

Chelsea Crowton, Esq.	(Wright, Finlay & Zak)
Diana Cline, Esq.	(Howard Kim & Associates)
D. Chris Albright, Esq.	(Albright, Stoddard, Warnick & Albright)



DIANE SANZO, Judicial Assistant



CLERK OF THE COURT

1 **NEOJ**
2 **WRIGHT, FINLAY & ZAK, LLP**

3 Chelsea A. Crowton, Esq.

4 Nevada Bar No. 11547

5 5532 South Fort Apache Road, Suite 110

6 Las Vegas, NV 89148

7 (702) 475-7964; Fax: (702) 946-1345

8 ccrowton@wrightlegal.net

9 *Attorney for Defendant,*

10 *U.S. Bank, N.A., as Trustee for the Certificate Holders of Wells Fargo Asset Securities*

11 *Corporation, Mortgage Pass-Through Certificates, Series 2006-AR4*

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 **SFR INVESTMENTS POOL, LLC, a Nevada**
15 **limited liability company**

16 **Plaintiff,**

17 **vs.**

18 **US BANK, N.A., a national banking association**
19 **as Trustee for the Certificate Holders of Wells**
20 **Fargo Asset Securities Corporation, Mortgage**
21 **Pass-Through Certificates, Series 2006-AR4,**
22 **and LUCIA PARKS, an individual; DOES I**
23 **through X, and ROE CORPORATIONS I**
24 **through X, inclusive.**

25 **Defendants.**

Case No.: A-13-678814-C

Dept. No.: XVIII

26 **NOTICE OF ENTRY OF ORDER**

27 **TO ALL INTERESTED PARTIES:**

28 **///**

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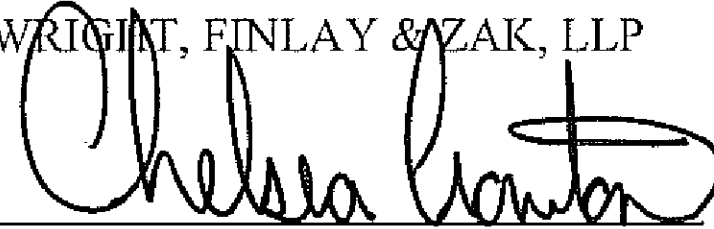
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1 PLEASE TAKE NOTICE that an Order for Dismissal and Cancellation of Notice of
2 Pendency of Action was entered in the above-entitled Court on the 11th day of June, 2013, a copy
3 of which is attached hereto.

4 DATED this 12th day of June, 2013.

6 WRIGHT, FINLAY & ZAK, LLP

7 

8 Chelsea A. Crowton, Esq.

9 Nevada Bar No. 11547

10 5532 South Fort Apache Road, Suite 110

11 Las Vegas, NV 89148

12 *Attorney for Defendant, U.S. Bank, N.A., as Trustee*
13 *for the Certificate Holders of Wells Fargo Asset*
14 *Securities Corporation, Mortgage Pass-Through*
15 *Certificates, Series 2006-AR4*

14 **AFFIRMATION**

15 Pursuant to N.R.S. 239B.030

16 The undersigned does hereby affirm that the preceding **NOTICE OF ENTRY OF**
17 **ORDER** filed in Case No. A-13-678814-C **does not** contain the social security number of any
18 person.

19 DATED this 12th day of June, 2013.

21 WRIGHT, FINLAY & ZAK, LLP

22 

23 Chelsea A. Crowton, Esq.

24 Nevada Bar No. 11547

25 5532 South Fort Apache Road, Suite 110

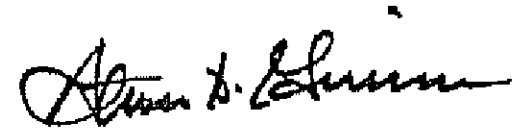
26 Las Vegas, NV 89148

27 *Attorney for Defendant, U.S. Bank, N.A., as Trustee*
28 *for the Certificate Holders of Wells Fargo Asset*
Securities Corporation, Mortgage Pass-Through
Certificates, Series 2006-AR4

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Howard C. Kim, Esq.
Diana S. Cline, Esq.
Victoria L. Hightower, Esq.
HOWARD KIM & ASSOCIATES
400 N. Stephanie St., Suite 160
Henderson, NV 89014
Attorneys for Plaintiff

3



CLERK OF THE COURT

1 ORDM

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 SFR INVESTMENTS POOL 1, LLC,

7 Plaintiff,

8 vs.

9 U.S. BANK, N.A., LUCIA PARKS,

10 Defendants.

CASE NO. A-13-678814-C
DEPT NO. XVIII

**ORDER FOR DISMISSAL
AND CANCELLATION OF NOTICE
OF PENDENCY OF ACTION**

11
12
13 Defendant U.S. Bank N.A.'s Motion to Dismiss with Prejudice Plaintiff's
14 Complaint, and Motion to Expunge Lis Pendens, and Defendant Lucia Parks' Joinders
15 thereto came on for a hearing before the above-entitled Court on June 4, 2013, with Judge
16 David Barker presiding. The Court, having considered all of the pleadings on file herein,
17 and having considered the arguments of counsel, hereby finds as follows:

- 18 1. This matter concerns property commonly known as 2270 Nashville Avenue,
19 Henderson, Nevada, 89052, Parcel No. 178-19-712-012 (the "Property").
- 20 2. On or about January 5, 2006, Defendant Lucia Parks obtained title to the
21 Property through a Grant Bargain Sale Deed from Albert Brandelli and Mary Brandelli
22 which was recorded in the Clark County Recorder's Office. Parks executed a Deed of
23 Trust and Note whereby Wells Fargo Bank, N.A. was stated as the Lender and United Title
24 of Nevada as the Trustee under the Deed of Trust.
- 25 3. On or about February 24, 2010, a Notice of Default and Election to Sell
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- 27 4. On or about May 24, 2012, a Notice of Delinquent Assessment Lien was
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1 5. On or about June 7, 2012, Wells Fargo Bank, N.A. recorded an Assignment
2 of Deed of Trust against the Property to U.S. Bank National Association ("U.S. Bank,
3 N.A."), as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through,
4 Certificates Series 2006-AR4 in the Clark County Recorder's Office.

5 6. On or about February 7, 2013, Nevada Association Services, Inc., agent for
6 Copper Ridge Community Homeowners Association ("HOA") recorded a Notice of
7 Trustee's Sale in the Clark County Recorder's Office.

8 7. On or about March 6, 2013, Plaintiff acquired the Property in a foreclosure
9 sale and the Foreclosure Deed was recorded in the Clark County Recorder's Office.

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11 an assessment lien by a homeowners' association "is prior to all other liens and
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13 date on which the assessment sought to be enforced became delinquent..." NRS
14 116.3116(2)(b).

15 9. Here the first security interest Deed of Trust was first in time and prior to the
16 assessment lien of the homeowner's association.

17 10. While NRS 116.3116 provides that the assessment lien is prior to the first
18 security interest Deed "to the extent of any charges incurred by the association on a unit
19 pursuant to NRS 116.310312 and to the extent of the assessments for common expenses
20 based on the periodic budget adopted by the association pursuant to NRS 116.3115 which
21 would have become due in the absence of acceleration during the 9 months immediately
22 preceding institution of an action to enforce the lien," this provision refers to a judicial
23 foreclosure "action" and is not applicable when the HOA foreclosed its lien under NRS
24 116.31162-NRS 116.31168, the nonjudicial foreclosure statutes.

25 11. The HOA may have a priority for payment of its lien, but the first security
26 interest Deed was not extinguished by the foreclosure sale conducted by the HOA.
27
28

12. Plaintiff cannot quiet title or obtain declaratory relief seeking to extinguish the first security interest Deed.

13. Plaintiff has not presented a viable basis upon which the Court could grant a preliminary or permanent injunction.

14. Plaintiff has not presented a viable claim for Unjust Enrichment.

IT IS THEREFORE ORDERED that Defendant U.S. Bank, N.A.'s Motion to Dismiss With Prejudice Plaintiff's Complaint is GRANTED. And, it is further

ORDERED, that Defendant Lucia Parks' Joinder in Defendant U.S. Bank, N.A.'s Motion to Dismiss With Prejudice Plaintiff's Complaint is GRANTED. And it is further

ORDERED, that Defendant U.S. Bank, N.A.'s Motion to Expunge Lis Pendens, joined by Defendant Lucia Parks, is GRANTED. And, it is further

ORDERED, that the notice of pendency of action is hereby cancelled, and this cancellation has the same effect as an expungement of the original notice. And it is further

ORDERED, that Plaintiff shall record with the Clark County Recorder a copy of this order of cancellation of the notice of pendency of action. And, it is further

ORDERED, that this case is dismissed in its entirety.

DATED this 11th day of June, 2013

DISTRICT JUDGE

I hereby certify that on the date filed, I mailed or placed a copy of this Order in the Attorney's folder in the Clerk's Office to:

Chelsea Crowton, Esq.

Diana Cline, Esq.

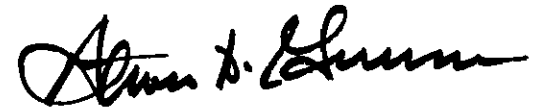
D. Chris Albright, Esq.

(Wright, Finlay & Zak)

(Howard Kim & Associates)

(Albright, Stoddard, Warnick & Albright)

DIANE SANZO
DIANE SANZO, Judicial Assistant



CLERK OF THE COURT

ORDR

HOWARD C. KIM, ESQ.
Nevada Bar No. 10386
E-mail: howard@hkimlaw.com
DIANA S. CLINE, ESQ.
Nevada Bar No. 10580
E-mail: diana@hkimlaw.com
JACQUELINE A. GILBERT, ESQ.
Nevada Bar No. 10593
jackie@hkimlaw.com
HOWARD KIM & ASSOCIATES
400 N. Stephanie St, Suite 160
Henderson, Nevada 89014
Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

SFR INVESTMENTS POOL 1, LLC a
Nevada limited liability company,

Plaintiff,

vs.

U.S. BANK, N.A., a national banking
association as Trustee for the Certificate
Holders of Wells Fargo Asset Securities
Corporation, Mortgage Pass-Through
Certificates, Series 2006-AR4, a Nevada non-
profit corporation and LUCIA PARKS, an
individual, DOES I through X; and ROE
CORPORATIONS I through X, inclusive,

Defendants.

Case No.: A-13-678814-C

Dept. No.: XVIII

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
MOTION TO ALTER OR AMEND
JUDGMENT**

Hearing Date: July 30, 2013

Hearing Time: 9:00 a.m.

This matter came before the court on Plaintiff SFR INVESTMENTS POOL 1, LLC's ("Plaintiff" or "SFR") "Motion to Alter or Amend Judgment" (the "Motion") of the "Order for Dismissal and Cancellation of Notice of Pendency of Action" (the "Order") entered on June 11, 2013. Following full briefing, the court heard argument on the above-referenced date and time.

Having considered the motion, opposition, reply, the papers on file in this case, and argument of counsel, good cause appearing therefor,

1 IT IS HEREBY ORDERED THAT the Motion to Alter and Amend Judgment is
2 GRANTED IN PART AND DENIED IN PART AS FOLLOWS:

- 3 1. The Order for Dismissal and Cancellation of Notice Pendency of Action shall be
4 amended such that the DISMISSAL OF DEFENDANT LUCIA PARKS SET FORTH
5 THEREIN SHALL BE WITHOUT PREJUDICE.
6 2. The remainder of the relief requested by Plaintiff is hereby DENIED.

7
8
9 DATED this 18 day of September, 2013.


DISTRICT JUDGE 

10
11
12 Submitted by:

13
14 **HOWARD KIM & ASSOCIATES**

15 
16 Howard C. Kim, Esq. (SBN 10386)

17 Diana S. Cline, Esq. (SBN 10580)

18 Jacqueline A. Gilbert, Esq. (SBN 10593)

19 400 N. Stephanie St., Suite 160

20 Henderson, Nevada 89014

21 (702) 485-3300

22 *Attorneys for Plaintiff*

Approved as to form, appeal rights reserved

WRIGHT, FINLAY & ZAK

/s/Chelsea A. Crowton

Chelsea A. Crowton, Esq. (SBN 11547)

5532 South Fort Apache, Suite 110

Las Vegas, Nevada 89148

(702) 475-7964

Attorney for Defendant U.S. Bank, N.A., as

Trustee for the Certificate Holders of Wells

Fargo Asset Securities Corporation,

Mortgage Pass-Through Certificates, Series

2006-AR4

23 ALBRIGHT, STODDARD, WARNICK &
24 ALBRIGHT

/s/D. Chris Albright

D. Chris Albright, Esq. (SBN 004904)

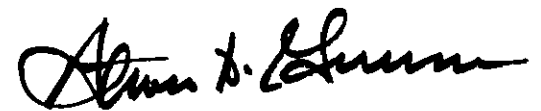
William H. Stoddard, Esq. (SBN 008679)

801 South Rancho Drive, Suite D-4

Las Vegas, Nevada 89016

(702) 384-7111

Attorneys for Defendant Lucia Parks



CLERK OF THE COURT

1 **NEO**
HOWARD C. KIM, ESQ.
2 Nevada Bar No. 10386
E-mail: howard@hkimlaw.com
3 DIANA S. CLINE, ESQ.
Nevada Bar No. 10580
4 E-mail: diana@hkimlaw.com
JACQUELINE A. GILBERT, ESQ.
5 Nevada Bar No. 10593
E-mail: jackie@hkimlaw.com
6 HOWARD KIM & ASSOCIATES
1055 Whitney Ranch Dr, Suite 110
7 Henderson, Nevada 89014
Telephone: (702) 485-3300
8 Facsimile: (702) 485-3301
Attorneys for Plaintiff

9
10 **DISTRICT COURT**
11 **CLARK COUNTY, NEVADA**

12 SFR INVESTMENTS POOL1, LLC a Nevada
13 limited liability company,

14 Plaintiff,

15 vs.

16 U.S. BANK, N.A., a national banking
association as Trustee for the Certificate
17 Holders of Wells Fargo Asset Securities
Corporation, Mortgage Pass-Through
18 Certificates, Series 2006-AR4 and LUCIA
PARKS, an individual; DOES I through X;
19 and ROE CORPORATIONS I through X,
inclusive,
20

21 Defendants.

Case No. A-13-678814-C

Dept. No. XVIII

NOTICE OF ENTRY OF ORDER

22 PLEASE TAKE NOTICE that an Order Granting in Part and Denying in Part Plaintiff's
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HOWARD KIM & ASSOCIATES

400 N. STEPHANIE ST, SUITE 160

HENDERSON, NEVADA 89014

(702) 485-3300 FAX (702) 485-3301

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Motion to Alter or Amend Judgment was entered by this Court on September 25, 2013. A copy of said order is attached hereto.

DATED September 25, 2013.

HOWARD KIM & ASSOCIATES

/s/ Diana S. Cline
Howard C. Kim, Esq.
Nevada Bar No. 10386
Diana S. Cline, Esq.
Nevada Bar No. 10580
1055 Whitney Ranch Dr., Suite 110
Henderson, Nevada 89014
Phone: (702) 485-3300
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Attorneys for Plaintiff

HOWARD KIM & ASSOCIATES

400 N. STEPHANIE ST, SUITE 160

HENDERSON, NEVADA 89014

(702) 485-3300 FAX (702) 485-3301

CERTIFICATE OF SERVICE

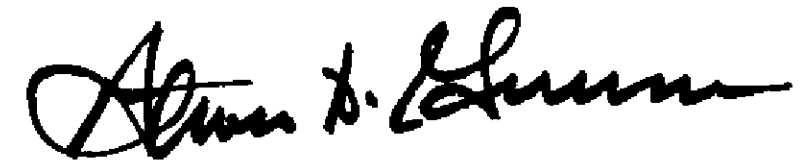
I HEREBY CERTIFY that on this 25th day of September, 2013, pursuant to NRCP 5(b), I served the following parties listed below by depositing via U.S. mail first class a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER**, postage prepaid and addressed to:

Chelsea Crowton
Wright, Finlay, & Zak
5532 S. Fort Apache Rd.
Las Vegas, NV 89148

D. Chris Albright
Albright Stoddard Warnick & Albright
801 S. Rancho Dr., Suite D-4
Las Vegas, NV 89106

/s/ Tommie Dooley

An employee of Howard Kim & Associates



CLERK OF THE COURT

ORDR

HOWARD C. KIM, ESQ.
Nevada Bar No. 10386
E-mail: howard@hkimlaw.com
DIANA S. CLINE, ESQ.
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400 N. Stephanie St, Suite 160
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Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

SFR INVESTMENTS POOL 1, LLC a
Nevada limited liability company,

Plaintiff,

vs.

U.S. BANK, N.A., a national banking
association as Trustee for the Certificate
Holders of Wells Fargo Asset Securities
Corporation, Mortgage Pass-Through
Certificates, Series 2006-AR4, a Nevada non-
profit corporation and LUCIA PARKS, an
individual, DOES I through X; and ROE
CORPORATIONS I through X, inclusive,

Defendants.

Case No.: A-13-678814-C

Dept. No.: XVIII

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
MOTION TO ALTER OR AMEND
JUDGMENT**

Hearing Date: July 30, 2013

Hearing Time: 9:00 a.m.

This matter came before the court on Plaintiff SFR INVESTMENTS POOL 1, LLC's ("Plaintiff" or "SFR") "Motion to Alter or Amend Judgment" (the "Motion") of the "Order for Dismissal and Cancellation of Notice of Pendency of Action" (the "Order") entered on June 11, 2013. Following full briefing, the court heard argument on the above-referenced date and time.

Having considered the motion, opposition, reply, the papers on file in this case, and argument of counsel, good cause appearing therefor,

HOWARD KIM & ASSOCIATES

400 N. STEPHANIE ST, SUITE 160

HENDERSON, NEVADA 89014

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HOWARD KIM & ASSOCIATES

400 N. STEPHANIE ST., SUITE 160

HENDERSON, NEVADA 89014

(702) 485-3300 FAX (702) 485-3301

1 IT IS HEREBY ORDERED THAT the Motion to Alter and Amend Judgment is
2 GRANTED IN PART AND DENIED IN PART AS FOLLOWS:

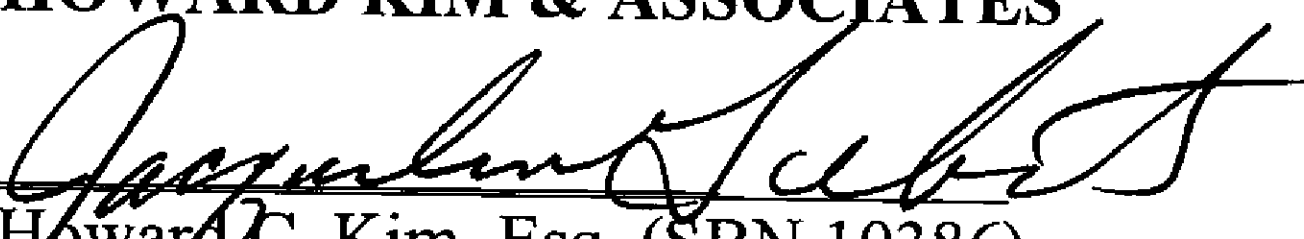
- 3 1. The Order for Dismissal and Cancellation of Notice Pendency of Action shall be
4 amended such that the DISMISSAL OF DEFENDANT LUCIA PARKS SET FORTH
5 THEREIN SHALL BE WITHOUT PREJUDICE.
6 2. The remainder of the relief requested by Plaintiff is hereby DENIED.

7
8
9 DATED this 18 day of September, 2013.


DISTRICT JUDGE 

10
11
12 Submitted by:

13
14 **HOWARD KIM & ASSOCIATES**

15 
16 Howard C. Kim, Esq. (SBN 10386)

17 Diana S. Cline, Esq. (SBN 10580)

18 Jacqueline A. Gilbert, Esq. (SBN 10593)

19 400 N. Stephanie St., Suite 160

20 Henderson, Nevada 89014

21 (702) 485-3300

22 *Attorneys for Plaintiff*

Approved as to form, appeal rights reserved

WRIGHT, FINLAY & ZAK

/s/Chelsea A. Crowton

Chelsea A. Crowton, Esq. (SBN 11547)

5532 South Fort Apache, Suite 110

Las Vegas, Nevada 89148

(702) 475-7964

Attorney for Defendant U.S. Bank, N.A., as

Trustee for the Certificate Holders of Wells

Fargo Asset Securities Corporation,

Mortgage Pass-Through Certificates, Series

2006-AR4

23 ALBRIGHT, STODDARD, WARNICK &
24 ALBRIGHT

/s/D. Chris Albright

D. Chris Albright, Esq. (SBN 004904)

William H. Stoddard, Esq. (SBN 008679)

801 South Rancho Drive, Suite D-4

Las Vegas, Nevada 89016

(702) 384-7111

Attorneys for Defendant Lucia Parks

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

March 28, 2013

A-13-678814-C SFR Investments Pool 1, LLC, Plaintiff(s)
vs.
US Bank, Defendant(s)

**March 28, 2013 8:15 AM Motion for Preliminary
Injunction**

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: April Watkins

RECORDER: Debbie Winn

REPORTER:

PARTIES

PRESENT: Cline, Diana S. Attorney

JOURNAL ENTRIES

- COURT ORDERED, motion GRANTED IN PART; Temporary Restraining Order (TRO) ENTERED, bond SET in the amount of \$500.00 and Motion for Preliminary Hearing CONTINUED.

4/11/13 8:14 AM MOTION FOR PRELIMINARY INJUNCTION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

April 11, 2013

A-13-678814-C SFR Investments Pool 1, LLC, Plaintiff(s)
vs.
US Bank, Defendant(s)

**April 11, 2013 8:15 AM Motion for Preliminary
Injunction**

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: April Watkins

RECORDER: Cheryl Carpenter

REPORTER:

PARTIES

PRESENT:	Cline, Diana S.	Attorney
	Hightower Esq, Victoria	Attorney
	Jereza, Raymond	Attorney

JOURNAL ENTRIES

- Ms. Cline advised matter was removed to Federal Court yesterday and yesterday afternoon parties stipulated to have it remanded back to this Court. Further, counsel requested matter be continued, advised Deft's counsel will have to weeks to file opposition, Pltff. will have one week to reply and matter set thereafter for hearing. Additionally, Ms. Cline requested that the TRO stand. There being no opposition, COURT ORDERED, matter CONTINUED and TRO STANDS.

CONTINUED TO: 5/16/13 8:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property**COURT MINUTES****May 16, 2013**

A-13-678814-C

SFR Investments Pool 1, LLC, Plaintiff(s)

vs.

US Bank, Defendant(s)

May 16, 2013**8:15 AM****All Pending Motions****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**

Cline, Diana S.

Attorney

Crowton, Chelsea A., ESQ

Attorney

Gilbert, Jacqueline

Attorney

JOURNAL ENTRIES

- PLTF'S MOTION FOR PRELIMINARY INJUNCTION...DEFT. LUCIA PARKS' NOTICE OF JOINDER IN PLTF'S MOTION FOR PRELIMINARY INJUNCTION:

Ms. Cline stated Pltf. purchased property from a foreclosure HOA sale which is now facing foreclosure by the first deed of trust which according to NRS 116.3116 was extinguished at the time of the HOA foreclosure sale. NRS 116.3116 creates a lien that the HOA has on a property that is perfected, noticed at time the declaration of CCR's recorded on the property and in this case that was before the deed of trust was recorded on the property. Colloquy. Further, Ms. Cline argued it is a significant departure but it is something that has been around since 1980 because HOA are similar to taxing agencies. Additionally, this is a limited amount first security has to pay and there are several exceptions. One of the exceptions are for tax liens and the other exception is for anything that was recorded before the CCR's were formed. Ms. Cline further stated bank has to pay nine months of assessments and also any charges for abatement. As to abatement provisions adopted in 2009, the way they were incorporated into NRS 116.3116, it is clear when HOA has super priority, can foreclose non judicially and anything that is junior including first security interest can be extinguished by the

foreclosure. Ms. Crowton argued Pltf. fails to address 2(b) at all and no refute from the Pltf. that 2(b) has been met by US Bank. There is a December 2005, deed of trust recorded in the Clark County Records Office over six years after that the recording of notice of delinquent assessment lien by the HOA. Additional argument by Ms. Cline. COURT ORDERED, matter UNDER ADVISEMENT and the Court will enter order this afternoon.

DEFT. US BANK'S MOTION TO EXPUNGE LIS PENDENS...DEFT. LUCIA PARKS' NOTICE OF JOINDER IN DEFT. US BANK N.A.'S MOTION TO EXPUNGE LIS PENDENS:

Ms. Crowton advised there is a pending motion to dismiss and requested these matters be continued to that date. COURT ORDERED, motion and joinder CONTINUED.

CONTINUED TO: 6/4/13 8:15 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

May 17, 2013

A-13-678814-C	SFR Investments Pool 1, LLC, Plaintiff(s) vs. US Bank, Defendant(s)
---------------	---------------------------------------------------------------------------

May 17, 2013

8:33 AM

Decision

**Decision: Pltf's
Motion for
Preliminary
Injunction & Deft.
Lucia Parks' Notice of
Joinder in Pltf's
Motion for
Preliminary
Injunction**

HEARD BY: Barker, David

COURTROOM: RJC Courtroom 11B

COURT CLERK: April Watkins

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The Court FINDS that the Plaintiff has not established a likelihood of success on the merits in this action, therefore it is hereby ORDERED that the Plaintiff s Motion for a Preliminary Injunction is DENIED.

The Court FURTHER ORDERS a STAY of this determination for THIRTY (30) days from the notice of entry of order, during which time Defendant U.S. Bank, its successors, assigns and agents are restrained and enjoined from foreclosing on, selling, transferring, or otherwise conveying the real property commonly known as 2270 Nashville Avenue, Henderson, Nevada 89052, Parcel No. 178-19-712-012.

FURTHER ORDERED, Deft. Lucia Parks' Notice of Joinder GRANTED.

Defendant U.S. Bank is to prepare and submit an order consistent with this determination.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Diana S. Cline, Esq., (Kim & Assoc); Chelsea A. Crowton, Esq., (Wright F & Z) and D. Chris Albright, Esq., (Albright S W & A). aw

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

June 04, 2013

A-13-678814-C SFR Investments Pool 1, LLC, Plaintiff(s)
vs.
US Bank, Defendant(s)

June 04, 2013 8:15 AM All Pending Motions

HEARD BY: Barker, David **COURTROOM:** RJC Courtroom 11B

COURT CLERK: Tia Everett

RECORDER: Cheryl Carpenter

REPORTER:

PARTIES

PRESENT: Albright, D. Chris Attorney
 Cline, Diana S. Attorney
 Crowton, Chelsea A., ESQ Attorney

JOURNAL ENTRIES

- DEFENDANT LUCIA PARKS' JOINDER IN DEFENDANT U.S. BANK N.A'S MOTION TO DISMISS WITH PREJUDICE THE PLAINTIFF'S COMPLAINT ... DEFENDANT U.S. BANK'S MOTION TO EXPUNGE LIS PENDENS ... DEFENDANT LUCIA PARKS' JOINDER TO DEFENDANT U.S. BANK'S MOTION TO EXPUNGE LIS PENDENS ... DEFENDANT U.S. BANK'S MOTION TO DISMISS WITH PREJUDICE PLAINTIFF'S COMPLAINT

Following arguments by counsel, COURT ORDERED, matters CONTINUED to Chamber Calendar for Decision.

7/09/2013 DECISION (CHAMBER CALENDAR)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property**COURT MINUTES****July 30, 2013**

A-13-678814-C

SFR Investments Pool 1, LLC, Plaintiff(s)

vs.

US Bank, Defendant(s)

July 30, 2013**8:15 AM****Motion to Amend
Judgment****Plaintiff's Motion to
Alter or Amend
Judgment****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**

Albright, D. Chris

Attorney

Cline, Diana S.

Attorney

Crowton, Chelsea A., ESQ

Attorney

Gilbert, Jacqueline

Attorney

JOURNAL ENTRIES

- Ms. Cline stated Pltf. is seeking to amend for the Court to reconsider dismissal of claims against US Bank and Deft. Parks. Further, there is no basis to dismiss Deft. Parks. Additionally, parties are still working through issues on appeal with US Bank, request dismissal without prejudice and noted Deft. Parks has another case that needs to be consolidated. Mr. Albright advised he is fine with dismissal standing and it being without prejudice. Ms. Crowton advised she has no opposition. COURT ORDERED, motion GRANTED IN PART as to dismissal without prejudice as to Deft. Parks. Ms. Cline requested Lis Pindens be reinstated or stayed pending appeal. Further, property has been sold and wants to stop transfer to a third party. Opposition by Mr. Albright. Ms. Crowton stated there is no necessity to have Lis Pindens recorded as there is already a Lis Pindens on property. FURTHER ORDERED, request GRANTED.

CLERK'S NOTE: After Court, it was determined the Court does not have jurisdiction to reinstate Lis

Pindens for an action that has been dismissed. It has always been the Court's intent that the action move forward on appeal as case is a case of first impression. aw 7/30/13

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

AMENDED NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES;
CIVIL COVER SHEET; ORDER DENYING PLAINTIFF'S MOTION FOR PRELIMINARY
INJUNCTION; NOTICE OF ENTRY OF ORDER; ORDER FOR DISMISSAL AND CANCELLATION
OF NOTICE OF PENDENCY OF ACTION; NOTICE OF ENTRY OF ORDER; ORDER GRANTING
IN PART AND DENYING IN PART PLAINTIFF'S MOTION TO ALTER OR AMEND JUDGMENT;
NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES

SFR INVESTMENTS POOL 1, LLC,

Plaintiff(s),

vs.

U.S. BANK, N.A., a national banking association
as Trustee for the Certificate Holders of Wells
Fargo Asset Securities Corporation, Mortgage
Pass-Through Certificates, Series 2006-AR4;
LUCIA PARKS,

Defendant(s),

Case No: A678814
Dept No: XVIII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 29 day of October 2013.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk