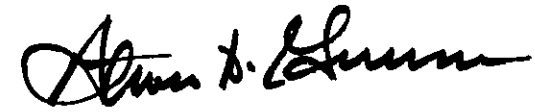


<u>62506</u>	CENTENO VS. MONTESA LLC
<u>62528</u>	VILLA PALMS COURT 102 TRUST VS. RILEY
<u>63011</u>	SATICO BAY VS. BANK OF NEW YORK MELLON
<u>63066</u>	MANN STREET TRUST VS. NEWMAN
<u>63067</u>	SANUCCI CT TRUST VS. ELEVADO C/W 63367
<u>63077</u>	RIVER GLIDER AVE TRUST VS. BANK OF NEW YORK MELLON
<u>63078</u>	SFR INVESTMENTS POOL 1 VS. US BANK, N.A.
<u>63184</u>	BOURNE VALLEY COURT TRUST VS. WELLS FARGO BANK
<u>63185</u>	VILLA VECCHIO CT TRUST VS. DEUTSCHE BANK
<u>63282</u>	BOURNE VALLEY COURT TRUST VS. CITIBANK, N.A.
<u>63313</u>	SFR INVESTMENTS POOL 1 VS. BANK OF AMERICA
<u>63367 (c/w)</u>	SANUCCI CT TRUST VS. ELEVADO C/W 63067
<u>63384/63009</u>	9320 POKewood CT TRUST VS. WELLS FARGO BANK
<u>63409</u>	3182 TARPON 103 TRUST VS. WELLS FARGO BANK
<u>63451</u>	SFR INVESTMENTS POOL 1 VS. FIRST HORIZON
<u>63481</u>	OLIVER SAGEBRUSH DRIVE TRUST VS. BAC HOME LOANS
<u>63511</u>	SFR INVESTMENTS POOL 1 VS. DIST. CT. (DEUTSCHE BANK NATIONAL TRUST)
<u>63542</u>	DRYSDALE COURT TRUST VS. BANK OF AMERICA
<u>63550</u>	RIVER GLIDER AVE TRUST VS. BANK OF AMERICA
<u>63579</u>	SFR INVESTMENTS POOL 1 VS. WELLS FARGO BANK
<u>63593</u>	KAL-MOR-USA VS. SUNTRUST MORTGAGE
<u>63611</u>	TRUST VS. WELLS FARGO BANK
<u>63612</u>	SFR INVESTMENT POOL 1 VS. WELLS FARGO BANK
<u>63613</u>	SFR INVESTMENT POOL 1 VS. FED. NATIONAL MORTGAGE ASSOC.
<u>63614</u>	SFR INVESTMENTS POOL 1 VS. US BANK
<u>63615</u>	RIVER GLIDER AVE TRUST VS. US BANK
<u>63651</u>	LV MOTOR COACH OWNERS ASSOC. VS. AMERICAN UNDERWRITERS LIFE INS.
<u>63695</u>	SFR INVESTMENTS POOL 1 VS. GREEN TREE SERVICING
<u>63764</u>	LN MANAGEMENT VS. WELLS FARGO BANK
<u>63768</u>	WELLS FARGO BANK VS. SFR INVESTMENTS POOL 1
<u>63795</u>	SFR INVESTMENTS POOL 1 VS. NATIONSTAR MORT.
<u>63796</u>	SFR INVESTMENTS POOL 1 VS. NATIONSTAR MORT.
<u>63814</u>	SFR INVESTMENTS POOL 1 VS. WELLS FARGO BANK
<u>63817/64415</u>	SFR INVESTMENTS POOL 1 VS. DEUTSCHE BANK
<u>63823</u>	PARADISE HARBOR VS. NATIONSTAR MORTGAGE
<u>63824</u>	SHINING SAND AVE TRUST VS. FLAGSTAR BANK
<u>63836</u>	LAS VEGAS DEV. GROUP VS. THE COOPER CASTLE LAW FIRM
<u>63882</u>	DELTA WATER STREET TRUST VS. U.S. BANK NATIONAL
<u>63891</u>	PARK VS. JP MORGAN CHASE
<u>63892</u>	SFR INVESTMENTS POOL 1 VS. WELLS FARGO BANK
<u>63903</u>	WELLS FARGO BANK VS. PARADISE HARBOR PLACE TRUST
<u>63905</u>	SFR INVESTMENTS POOL 1 VS. FIRST HORIZON
<u>63909</u>	8025 VILLA ROSARITO ST. TRUST VS. QUALITY LOAN SERVICE
<u>63914</u>	SFR SFR INVESTMENTS POOL 1 VS. FIRST HORIZON
<u>63915</u>	SFR INVESTMENTS POOL 1 VS. GREEN TREE SERVICING

63929/64374	SFR INVESTMENTS POOL 1 VS. BANK OF NEW YORK MELLON
63958	WOODRUFF VS. PITSICALIS
63965/64206	80 HUNTFIELD DRIVE TRUST VS. WELLS FARGO BANK
63966	SFR INVESTMENTS POOL 1 VS. WELLS FARGO BANK, N.A.
64006	AMERICAN RIVER LANE TRUST VS. CITIMORTGAGE
64014	OLIVER SAGE DRIVE TRUST VS. BAC HOME LOAN
64031	FIRST 100 VS. FIRST HORIZON
64046	SFR INVESTMENTS POOL 1 VS. PHH MORTGAGE CORPORATION
64099	SFR INVESTMENTS POOL 1 VS. WELLS FARGO BANK
64183	PARADISE HARBOR PLACE TRUST VS. SELENE FINANCE
64185	KK REAL ESTATE INV. FUND VS. CAPITAL ONE
64233	LN MANAGEMENT LLC SERIES VS. PHH MORTGAGE CORP.
64254	SFR INVESTMENTS POOL 1 VS. GREEN TREE SERVICING
64271	SFR INVESTMENTS POOL 1 VS. NATIONSTAR MORTGAGE
64273	SATICOY BAY LLC VS. JP MORGAN CHASE BANK
64286	BERBERICH VS. CITIMORTGAGE
64315	PARK VS. BANK OF AMERICA, N.A.
64329	SFR INVESTMENTS POOL 1 VS. BAC HOME LOANS
64367	TRUST VS. CITIMORTGAGE, INC.
64387	PARK VS. BANK OF AMERICA, N.A.
64410	GOGO WAY TRUST VS. NEW YORK CMTY. BANK
64468	SFR INVESTMENTS POOL 1 VS BANK OF AMERICA, N.A.
64482	SFR INVESTMENTS POOL 1 vs. NATIONSTAR MORTGAGE
64495	LN MGMT LLC VS. WELLS FARGO BANK, N.A.
64496	LN MGMT LLC VS. WELLS FARGO BANK, N.A.
64500	SFR INVESTMENTS POOL 1 vs. WELLS FARGO BANK
64562	SFR INVESTMENTS POOL 1, LLC VS. JP MORGAN CHASE BANK, N.A.
64571	WELLS FARGO BANK V. AVENZANO ST. TRUST
64590	SFR INVESTMENTS POOL 1, LLC VS. WELLS FARGO BANK, N.A.
64672	SFR INVESTMENTS POOL 1, LLC VS. WELLS FARGO BANK, N.A.



CLERK OF THE COURT

**NEOJ**  
Michael R. Brooks, Esq.  
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Alia A. Najjar, M.D., Esq.  
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Las Vegas, NV 89134  
Tel: (702) 851-1191  
Fax: (702) 851-1198  
*Attorneys for Defendant Green Tree Servicing, LLC*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SATICOY BAY LLC SERIES 133  
MCLAREN

Case No.: A-14-693882-C  
Dept.: II

Plaintiff,

vs.

**NOTICE OF ENTRY OF ORDER**

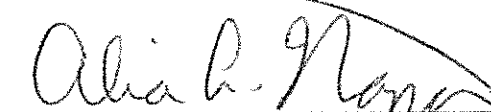
GREEN TREE SERVICING LLC; THE BANK  
OF NEW YORK MELLON FKA THE BBANK  
OF NEW YORK, AS SUCCESSOR TRUSTEE  
TO JP MORGAN CHASE BANK, N.A., AS  
TRUSTEE FOR THE CERTIFICATE HOLDERS  
OF CWABS MASTER TRUST, REVOLVING  
HOME EQUITY LOAN ASSET BACKED  
NOTES, SERIES 2004-T; NATIONAL DEFAULT  
SERVICING CORPORATION; CTC REAL  
ESTATE SERVICES; CHARLES J. WIGHT; and  
TARA J. WIGHT,

Defendants.

PLEASE TAKE NOTICE that the Order Granting Motion to Dismiss was entered in the  
above-captioned matter on the 7<sup>th</sup> day of May, 2014, a copy of which is attached hereto.

DATED this 14<sup>th</sup> day of May, 2014.

**BROOKS BAUER LLP**

By:   
Michael R. Brooks, Esq. NV Bar No. 7287  
Alia A. Najjar, M.D., Esq. NV Bar No. 12832  
*Attorneys for Defendant Green Tree Servicing, LLC*

**BROOKS BAUER LLP**  
1645 VILLAGE CENTER CIRCLE, SUITE 200, LAS VEGAS, NV 89134  
TELEPHONE: (702) 851-1191 FAX: (702) 851-1198

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am employed in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is that of Brooks Bauer LLP, 1645 Village Center Circle, Suite 200, Las Vegas, Nevada 89134.

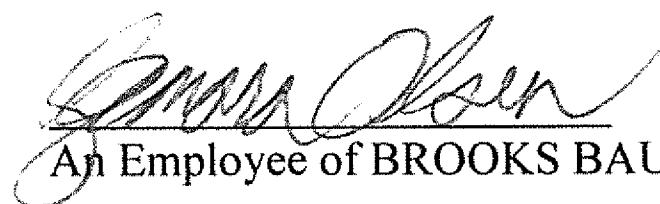
On this day, I served a copy of the foregoing **NOTICE OF ENTRY OF ORDER** on the parties in said action or proceeding by placing a true copy thereof enclosed in a sealed envelope, addressed as follows:

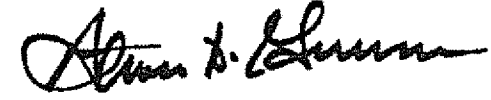
MICHAEL F. BOHN, ESQ.  
mbohn@bohnlawfirm.com  
LAW OFFICES OF MICHAEL F.  
BOHN, ESQ., LTD.  
376 East Warm Springs Road, Ste. 125  
Las Vegas, Nevada 89119  
*Attorneys for Plaintiff*  
SATICOY BAY LLC SERIES 133  
MCLAREN

and placing the envelope in the mail bin at the firm's office.

I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice, it is deposited with the U.S. Postal Service on the same day it is placed in the mail bin, with postage thereon fully prepaid at Las Vegas, Nevada, in the ordinary course of business.

I certify under penalty of perjury that the foregoing is true and correct and that this Certificate of Service was executed by me on the 14<sup>th</sup> day of May, 2014, at Las Vegas, Nevada.

  
An Employee of BROOKS BAUER LLP



CLERK OF THE COURT

**ORDR**

Michael R. Brooks, Esq.  
Nevada Bar No. 7287  
mbrooks@brooksbaauer.com  
Christopher S. Connell, Esq.  
Nevada Bar No. 12720  
cconnell@brooksbaauer.com  
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Las Vegas, NV 89134  
Tel: (702) 851-1191  
Fax: (702) 851-1198  
*Attorneys for Defendant Green Tree Servicing LLC*

**DISTRICT COURT****CLARK COUNTY, NEVADA**

SATICOY BAY LLC DERIES 133 MCLAREN

Plaintiff,

vs.

GREEN TREE SERVICING LLC; THE BANK  
OF NEW YORK MELLON FKA THE BBANK  
OF NEW YORK, AS SUCCESSOR TRUSTEE  
TO JP MORGAN CHASE BANK, N.A., AS  
TRUSTEE FOR THE CERTIFICATE HOLDERS  
OF CWABS MASTER TRUST, REVOLVING  
HOME EQUITY LOAN ASSET BACKED  
NOTES, SERIES 2004-T; NATIONAL DEFAULT  
SERVICING CORPORATION; CTC REAL  
ESTATE SERVICES; CHARLES J. WIGHT; and  
TARA J. WIGHT,

Defendants.

Case No.: A-14-693882-C  
Dept.: II

**ORDER GRANTING MOTION TO  
DISMISS**

Defendant, Green Tree Servicing LLC's Motion to Dismiss Pursuant to NRCP 12(b)(5) having come before the Honorable Valorie Vega, on April 2, 2014, at 9:30 a.m.; Defendant was represented by and through Christopher S. Connell, Esq. of the law firm of Brooks Bauer LLP; Plaintiff was represented by Kelly M. Perry, Esq;

The Court, having reviewed Defendant's Motion and Plaintiff's Opposition, the representations of counsel, the papers and pleadings on file herein, and good cause appearing makes the following Findings and Orders:

1 The Court has considered the oral and written arguments of the parties. Based thereon, the  
2 Court finds as follows:

- 3 1. Plaintiff has failed to state a claim upon which relief can be granted, pursuant to NRCP  
4 12(b)(5).  
5 2. Motion to Dismiss GRANTED pursuant to NRCP 12(b)(5) and Simpson v. Mars, 113  
6 Nev. 188 (1991) and Vacation Village v. Hitachi America, 110 Nev. 481 (1994) and NRS  
7 116.3116 and Diakonos Holdings, LLC v. Countrywide Home Loans, Inc. 2013,  
8 WL531092, Dist. Nec 2/11/13.  
9 3. Request for Judicial Notice taken pursuant to EDCR 2.20 and NRS 47.130.  
10 4. Countermotion to Stay proceedings DENIED for lack of authority, this ruling will not  
11 preclude Plaintiff's counsel from pursuing a stipulation and order for a stay should that be  
12 warranted and oral request for 54(b) Certification GRANTED pursuant to EDCR 2.20.

13 NOW THEREFORE IT IS HEREBY ORDERED that Defendant Green Tree Servicing  
14 LLC's Motion to Dismiss Pursuant to NRCP 12(b)(5) be, and is hereby GRANTED in its  
15 entirety.

16 IT IS FURTHER ORDERED that all claims against Defendant Green Tree Servicing LLC  
17 are adjudicated in favor of Defendant Green Tree Servicing LLC.

18 IT IS FURTHER ORDERED that Plaintiff's Countermotion to Stay Proceedings is  
19 denied.

20 IT IS FURTHER ORDERED Plaintiff's request that the court's ruling on this matter be  
21 certified under the provisions of NRCP 54(b) is also granted. The Court has made an express  
22 determination that there is no just reason for delay and expressly directs entry of judgment in  
23 favor of Defendant Green Tree Servicing LLC and against the Plaintiff.

24 **IT IS SO ORDERED.**

25 DATED this 30th day of April, 2014.

26 BY THE COURT:

27   
28 DISTRICT COURT JUDGE 

**BROOKS BAUER LLP**

1645 VILLAGE CENTER CIRCLE, SUITE 200, LAS VEGAS, NV 89134  
TELEPHONE: (702) 851-1191 FAX: (702) 851-1198

Submitted by:

BROOKS BAUER LLP

By:

Michael R. Brooks, Esq. NV Bar No. 7287  
Christopher S. Connell, Esq. NV Bar No. 12720

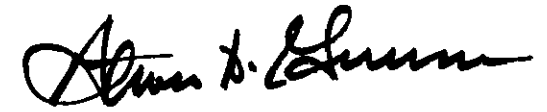
*Attorneys for Defendant Green Tree Servicing LLC*

Reviewed by: -

By:

Michael F. Bohn, Esq.  
Kelly M. Perri, Esq.

*Attorneys for Plaintiff Saticoy Bay LLC Series 133 Mclaran Street*



CLERK OF THE COURT

**ORDR**

Michael R. Brooks, Esq.  
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Christopher S. Connell, Esq.  
Nevada Bar No. 12720  
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Fax: (702) 851-1198  
*Attorneys for Defendant Green Tree Servicing LLC*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SATICOY BAY LLC DERIES 133 MCLAREN

Plaintiff,

vs.

GREEN TREE SERVICING LLC; THE BANK  
OF NEW YORK MELLON FKA THE BBANK  
OF NEW YORK, AS SUCCESSOR TRUSTEE  
TO JP MORGAN CHASE BANK, N.A., AS  
TRUSTEE FOR THE CERTIFICATE HOLDERS  
OF CWABS MASTER TRUST, REVOLVING  
HOME EQUITY LOAN ASSET BACKED  
NOTES, SERIES 2004-T; NATIONAL DEFAULT  
SERVICING CORPORATION; CTC REAL  
ESTATE SERVICES; CHARLES J. WIGHT; and  
TARA J. WIGHT,

Defendants.

Case No.: A-14-693882-C

Dept.: II

**ORDER GRANTING MOTION TO  
DISMISS**

Defendant, Green Tree Servicing LLC's Motion to Dismiss Pursuant to NRCP 12(b)(5) having come before the Honorable Valorie Vega, on April 2, 2014, at 9:30 a.m.; Defendant was represented by and through Christopher S. Connell, Esq. of the law firm of Brooks Bauer LLP; Plaintiff was represented by Kelly M. Perry, Esq;

The Court, having reviewed Defendant's Motion and Plaintiff's Opposition, the representations of counsel, the papers and pleadings on file herein, and good cause appearing makes the following Findings and Orders:



The Court has considered the oral and written arguments of the parties. Based thereon, the Court finds as follows:

1. Plaintiff has failed to state a claim upon which relief can be granted, pursuant to NRCP 12(b)(5).
2. Motion to Dismiss GRANTED pursuant to NRCP 12(b)(5) and Simpson v. Mars, 113 Nev. 188 (1991) and Vacation Village v. Hitachi America, 110 Nev. 481 (1994) and NRS 116.3116 and Diakonos Holdings, LLC v. Countrywide Home Loans, Inc. 2013, WL531092, Dist. Nec 2/11/13.
3. Request for Judicial Notice taken pursuant to EDCR 2.20 and NRS 47.130.
4. Countermotion to Stay proceedings DENIED for lack of authority, this ruling will not preclude Plaintiff's counsel from pursuing a stipulation and order for a stay should that be warranted and oral request for 54(b) Certification GRANTED pursuant to EDCR 2.20.

NOW THEREFORE IT IS HEREBY ORDERED that Defendant Green Tree Servicing LLC's Motion to Dismiss Pursuant to NRCP 12(b)(5) be, and is hereby GRANTED in its entirety.

IT IS FURTHER ORDERED that all claims against Defendant Green Tree Servicing LLC are adjudicated in favor of Defendant Green Tree Servicing LLC.

IT IS FURTHER ORDERED that Plaintiff's Countermotion to Stay Proceedings is denied.

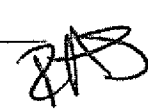
IT IS FURTHER ORDERED Plaintiff's request that the court's ruling on this matter be certified under the provisions of NRCP 54(b) is also granted. The Court has made an express determination that there is no just reason for delay and expressly directs entry of judgment in favor of Defendant Green Tree Servicing LLC and against the Plaintiff.

**IT IS SO ORDERED.**

DATED this 30th day of April, 2014.

BY THE COURT:

  
DISTRICT COURT JUDGE



1 Submitted by:

2 BROOKS BAUER LLP

3  
4 By: 

Michael R. Brooks, Esq. NV Bar No. 7287

5 Christopher S. Connell, Esq. NV Bar No. 12720

6 *Attorneys for Defendant Green Tree Servicing LLC*

7 Reviewed by: -

8 By: 

Michael F. Bohn, Esq.

9 Kelly M. Perri, Esq.

10 *Attorneys for Plaintiff Saticoy Bay LLC Series 133 Mclaran Street*

**I. Party Information**Plaintiff SATICOY BAY LLC SERIES 133  
MCLAREN

Attorney Michael F. Bohn, Esq.

376 E. Warm Springs Road, Ste. 125

Las Vegas NV 89119 (702) 642-3113

Defendants GREEN TREE SERVICING LLC; THE  
BANK OF NEW YORK MELLON FKA THE BANK  
OF NEW YORK, AS SUCCESSOR TRUSTEE TO  
JPMORGAN CHASE BANK, N.A., AS  
TRUSTEE FOR THE CERTIFICATEHOLDERS OF  
CWABS MASTER TRUST, REVOLVING HOME  
EQUITY LOAN ASSET BACKED NOTES, SERIES  
2004-T; NATIONAL DEFAULT SERVICING  
CORPORATION; CTC REAL ESTATE SERVICES;  
CHARLES J. WIGHT; AND TARA J. WIGHT,  
Attorney N/A**II. Nature of Controversy** EXEMPTION FROM ARBITRATION Title to Real Property**Civil Cases**

Real Property	Torts	
<input type="checkbox"/> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> <b>Title to Property</b> <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input checked="" type="checkbox"/> <b>Quiet Title</b> <input type="checkbox"/> Specific Performance <input type="checkbox"/> <b>Condemnation/Eminent Domain</b> <input type="checkbox"/> <b>Other Real Property</b> <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<b>Negligence</b> <input type="checkbox"/> <b>Negligence – Auto</b> <input type="checkbox"/> <b>Negligence – Medical/Dental</b> <input type="checkbox"/> <b>Negligence – Premises Liability</b> (Slip/Fall) <input type="checkbox"/> <b>Negligence – Other</b>	<input type="checkbox"/> <b>Product Liability</b> <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> <b>Intentional Misconduct</b> <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> <b>Employment Torts</b> (Wrongful termination) <input type="checkbox"/> <b>Other Torts</b> <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
Probate	Other Civil Filing Types	
Estimated Estate Value: _____ <input type="checkbox"/> <b>Summary Administration</b> <input type="checkbox"/> <b>General Administration</b> <input type="checkbox"/> <b>Special Administration</b> <input type="checkbox"/> <b>Set Aside Estates</b> <input type="checkbox"/> <b>Trust/Conservatorships</b> <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> <b>Other Probate</b>	<input type="checkbox"/> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input type="checkbox"/> <b>Breach of Contract</b> <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> <b>Civil Petition for Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	<input type="checkbox"/> <b>Appeal from Lower Court</b> (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> <b>Civil Writ</b> <input type="checkbox"/> Other Special Proceeding <input type="checkbox"/> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment – Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters

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

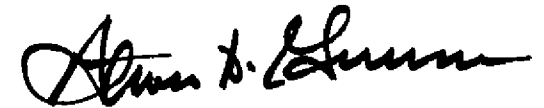
- |                                               |                                                              |                                                       |
|-----------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------|
| <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)               |                                                       |

January 2<sup>nd</sup>, 2014

Date

/ S / Michael F. Bohn, Esq. /

Signature of initiating party or representative



CLERK OF THE COURT

1 **COMP**

MICHAEL F. BOHN, ESQ.

2 Nevada Bar No.: 1641

[mbohn@bohnlawfirm.com](mailto:mbohn@bohnlawfirm.com)

3 LAW OFFICES OF

MICHAEL F. BOHN, ESQ., LTD.

4 376 East Warm Springs Road, Ste. 125

Las Vegas, Nevada 89119

5 (702) 642-3113/ (702) 642-9766 FAX

6 Attorney for plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

10 SATICOY BAY LLC SERIES 133 MCLAREN,

11 Plaintiff,

12 vs.

13 GREEN TREE SERVICING LLC; THE BANK  
14 OF NEW YORK MELLON FKA THE BANK  
15 OF NEW YORK, AS SUCCESSOR TRUSTEE  
16 TO JPMORGAN CHASE BANK, N.A., AS  
17 TRUSTEE FOR THE  
18 CERTIFICATEHOLDERS OF CWABS  
19 MASTER TRUST, REVOLVING HOME  
20 EQUITY LOAN ASSET BACKED NOTES,  
21 SERIES 2004-T; NATIONAL DEFAULT  
22 SERVICING CORPORATION; CTC REAL  
23 ESTATE SERVICES; CHARLES J. WIGHT;  
24 AND TARA J. WIGHT,

25 Defendants.

CASE NO.: A-14-693882-C

DEPT NO.: XV

**EXEMPTION FROM ARBITRATION:**  
**Title to real property**

20 **COMPLAINT**

21 Plaintiff, Saticoy Bay LLC Series 133 McLaren, by and through it's attorney, Michael F. Bohn,  
22 Esq. alleges as follows:

23 1. Plaintiff is the owner of the real property commonly known as 133 McLaren Street,  
24 Henderson, Nevada.

25 2. Plaintiff obtained title by foreclosure deed recorded November 26, 2013.

26 3. The plaintiff's title stems from a foreclosure deed arising from a delinquency in  
27

1 assessments due from the former owner to the Hillpointe Park Maintenance, pursuant to NRS Chapter  
2 116.

3 4. Green Tree Servicing LLC is the beneficiary of a deed of trust which was recorded as an  
4 encumbrance to the subject property on November 23, 2004.

5 5. The Bank of New York Mellon f/k/a The Bank of New York, as Successor Trustee to JP  
6 Morgan Chase Bank, N.A., as Trustee for the Certificateholders of CWABS Master Trust, Revolving  
7 Home Equity Loan Asset Backed Notes, Series 2004-T is the beneficiary, by way of assignment, of a  
8 second deed of trust which was recorded as an encumbrance to the subject property on November 23,  
9 2004.

10 6. National default Servicing Corporation is the trustee on a deed of trust by way of a  
11 substitution of trustee.

12 7. CTC Real Estate Services is the original trustee on a second deed of trust.

13 8. Defendants Charles J. Wight and Tara J. Wight are the former owners of the subject real  
14 property.

15 9. The interest of each of the defendants has been extinguished by reason of the foreclosure  
16 sale resulting from a delinquency in assessments due from the former owners, Charles J. Wight and  
17 Tara J. Wight to the Hillpointe Park Maintenance, pursuant to NRS Chapter 116.

18 10. The plaintiff is entitled to an award of attorneys fees and costs.

19 **SECOND CLAIM FOR RELIEF**

20 11. Plaintiff repeats the allegations contained in paragraphs 1 through 10.

21 12. Plaintiff is entitled to a determination from this court, pursuant to NRS 40.010 that the  
22 plaintiff is the rightful owner of the property and that the defendants have no right, title, interest or  
23 claim to the subject property.

24 13. The plaintiff is entitled to an award of attorneys fees and costs.

25 **THIRD CLAIM FOR RELIEF**

26 14. Plaintiff repeats the allegations contained in paragraphs 1 through 13.

27 15. Plaintiff seeks a declaration from this court, pursuant to NRS 40.010, that title in the  
28

1 property is vested in plaintiff free and clear of all liens and encumbrances, that the defendants herein  
2 have no estate, right, title or interest in the property, and that defendants are forever enjoined from  
3 asserting any estate, title, right, interest, or claim to the subject property adverse to the plaintiff.

4 16. The plaintiff is entitled to an award of attorneys fees and costs.

5 WHEREFORE, plaintiff prays for Judgment as follows:

6 1. For injunctive relief;

7 2. For a determination and declaration that plaintiff is the rightful holder of title to the  
8 property, free and clear of all liens, encumbrances, and claims of the defendants.

9 3. For a determination and declaration that the defendants have no estate, right, title, interest  
10 or claim in the property.

11 4. For a judgment forever enjoining the defendants from asserting any estate, right, title,  
12 interest or claim in the property; and

13 5. For such other and further relief as the Court may deem just and proper.

14 DATED this 2<sup>nd</sup> day of January 2014.

15 LAW OFFICES OF  
16 MICHAEL F. BOHN, ESQ., LTD.

17  
18 By: / s / Michael F. Bohn, Esq. /  
19 Michael F. Bohn, Esq.  
20 376 East Warm Springs Road, Ste. 125  
21 Las Vegas, Nevada 89119  
22 Attorney for plaintiff  
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**VERIFICATION**

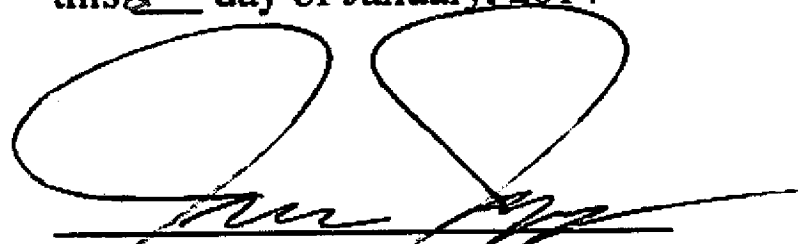
STATE OF NEVADA       )  
                                  ) ss:  
COUNTY OF CLARK     )

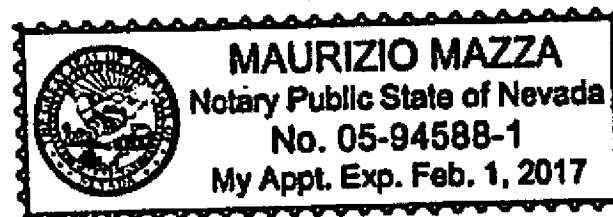
Iyad Haddad, being first duly sworn, deposes and says;

That he is the authorized representative of the plaintiff Limited Liability Company in the above entitled action; that he has read the foregoing complaint and knows the contents thereof; that the same is true of his own knowledge, except as to those matters therein alleged on information and belief, and as to those matters, he believes them to be true.

  
\_\_\_\_\_  
IYAD HADDAD

SUBSCRIBED and SWORN to before me  
this 2<sup>ND</sup> day of January, 2014

  
\_\_\_\_\_  
NOTARY PUBLIC in and for said  
County and State



1 **IAFD**  
MICHAEL F. BOHN, ESQ.  
2 Nevada Bar No.: 1641  
mbohn@bohnlawfirm.com  
3 LAW OFFICES OF  
MICHAEL F. BOHN, ESQ., LTD.  
4 376 East Warm Springs Road, Ste. 125  
Las Vegas, Nevada 89119  
5 (702) 642-3113/ (702) 642-9766 FAX

6 Attorney for plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

9 SATICOY BAY LLC SERIES 133 MCLAREN,  
10 Plaintiff,

vs.

11 GREEN TREE SERVICING LLC; THE BANK  
12 OF NEW YORK MELLON FKA THE BANK  
13 OF NEW YORK, AS SUCCESSOR TRUSTEE  
14 TO JPMORGAN CHASE BANK, N.A., AS  
15 TRUSTEE FOR THE  
16 CERTIFICATEHOLDERS OF CWABS  
17 MASTER TRUST, REVOLVING HOME  
EQUITY LOAN ASSET BACKED NOTES,  
SERIES 2004-T; NATIONAL DEFAULT  
SERVICING CORPORATION; CTC REAL  
ESTATE SERVICES; CHARLES J. WIGHT;  
AND TARA J. WIGHT,

18 Defendants.

CASE NO.: A-14-693882-C  
DEPT NO.: XV

19 **INITIAL APPEARANCE FEE DISCLOSURE**

20 Pursuant to NRS Chapter 19, filing fees are submitted for the party appearing in the above-  
21 entitled action as indicated below:

22 SATICOY BAY LLC SERIES 133 MCLAREN	\$270.00
23 TOTAL REMITTED:	\$270.00

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DATED this 2<sup>nd</sup> day of January 2014.

LAW OFFICES OF  
MICHAEL F. BOHN, ESQ., LTD.

By: / s / Michael F. Bohn, Esq. /  
Michael F. Bohn, Esq.  
376 East Warm Springs Road, Ste. 125  
Las Vegas, Nevada 89119  
Attorney for plaintiff

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

SATICOY BAY LLC SERIES 133 MCLAREN,

Appellant

vs.

GREEN TREE SERVICING LLC,

Respondent

No. 65708

DOCKETING STATEMENT

CIVIL APPEALS

Electronically Filed  
Jun 10 2014 09:36 a.m.

Tracie K. Lindeman  
Clerk of Supreme Court

GENERAL INFORMATION

All appellants not in proper person must complete this docketing statement. NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, classifying cases for en banc, panel, or expedited treatment, compiling statistical information and identifying parties and their counsel.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 26 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District Eighth Department 2  
County Clark Judge Valorie J. Vega  
District Ct. Case No. A693882

**2. Attorney filing this docketing statement:**

Attorney Michael F. Bohn, Esq. Telephone 702-642-3113  
Firm Law Offices of Michael F. Bohn, Esq., Ltd.  
Address 376 E. Warm Springs Road, Suite 140  
Las Vegas, Nevada 89119

Client(s) Saticoy Bay LLC Series 133 McLaren

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

**3. Attorney(s) representing respondents(s):**

Attorney Michael R. Brooks, Esq Telephone 702-851-1191  
Firm Brooks Bauer LLP  
Address 1645 Village Center Circle,. Suite 200  
Las Vegas, NV 89134  
Client(s) Green Tree Servicing LLC

Attorney \_\_\_\_\_ Telephone \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Client(s) \_\_\_\_\_

**4. Nature of disposition below (check all that apply):**

- |                                                             |                                                                         |
|-------------------------------------------------------------|-------------------------------------------------------------------------|
| <input type="checkbox"/> Judgment after bench trial         | <input checked="" type="checkbox"/> Dismissal:                          |
| <input type="checkbox"/> Judgment after jury verdict        | <input type="checkbox"/> Lack of jurisdiction                           |
| <input type="checkbox"/> Summary judgment                   | <input checked="" type="checkbox"/> Failure to state a claim            |
| <input type="checkbox"/> Default judgment                   | <input type="checkbox"/> Failure to prosecute                           |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief  | <input type="checkbox"/> Other (specify): _____                         |
| <input type="checkbox"/> Grant/Denial of injunction         | <input type="checkbox"/> Divorce Decree:                                |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification |
| <input type="checkbox"/> Review of agency determination     | <input type="checkbox"/> Other disposition (specify): _____             |

**5. Does this appeal raise issues concerning any of the following?**

- ☐ Child Custody
- ☐ Venue
- ☐ Termination of parental rights

**6. Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

None

**7. Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

None

**8. Nature of the action.** Briefly describe the nature of the action and the result below:

Plaintiff filed an action for quiet title and declaratory relief after it purchased a real property at a foreclosure sale conducted pursuant to NRS Chapter 116. It is the plaintiff's position that the foreclosure sale extinguished all outstanding liens on the property. The district court dismissed the case for failure to state a claim.

**9. Issues on appeal.** State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

The issue is if the "super-priority" homeowners association lien under NRS Chapter 116 takes priority over outstanding first mortgage and second mortgage and if foreclosure on the "super-priority" lien extinguishes the first mortgage as well as the second mortgage.

**10. Pending proceedings in this court raising the same or similar issues.** If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

Please see attached list

**11. Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☒ N/A

☐ Yes

☐ No

If not, explain:

**12. Other issues.** Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☐ An issue arising under the United States and/or Nevada Constitutions

☒ A substantial issue of first impression

☒ An issue of public policy

☒ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain: This court has not determined the construction of NRS 116.3116 regarding the priority of an HOA lien over a first mortgage on the same property.

**13. Trial.** If this action proceeded to trial, how many days did the trial last? \_\_\_\_\_

Was it a bench or jury trial? \_\_\_\_\_

**14. Judicial Disqualification.** Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?  
N/A

## TIMELINESS OF NOTICE OF APPEAL

**15. Date of entry of written judgment or order appealed from** May 7, 2014

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

**16. Date written notice of entry of judgment or order was served** May 14, 2014

Was service by:

☐ Delivery

☒ Mail/electronic/fax

**17. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)**

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b)      Date of filing \_\_\_\_\_

☐ NRCP 52(b)      Date of filing \_\_\_\_\_

☐ NRCP 59      Date of filing \_\_\_\_\_

**NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. \_\_\_\_, 245 P.3d 1190 (2010).**

(b) Date of entry of written order resolving tolling motion \_\_\_\_\_

(c) Date written notice of entry of order resolving tolling motion was served \_\_\_\_\_

Was service by:

☐ Delivery

☐ Mail

**18. Date notice of appeal filed** May 15, 2014

---

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

**19. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other**

NRAP 4 (a)

---

**SUBSTANTIVE APPEALABILITY**

**20. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:**

(a)

- |                                                   |                                       |
|---------------------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> NRAP 3A(b)(1) | <input type="checkbox"/> NRS 38.205   |
| <input type="checkbox"/> NRAP 3A(b)(2)            | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3)            | <input type="checkbox"/> NRS 703.376  |
| <input type="checkbox"/> Other (specify) _____    |                                       |

(b) Explain how each authority provides a basis for appeal from the judgment or order:  
Appeal from an order granting Green Tree Servicing LLC's motion to dismiss



**21. List all parties involved in the action or consolidated actions in the district court:**

(a) Parties:

Saticoy Bay LLC Series 133 McLaren, plaintiff

Green Treen Servicing LLC, defendant

The Bank of New York Mellon FKA the Bank of New York, defendant

National Default Servicing Corporation, defendant

CTC Real Estate Services, defendant

Charles J. Wight and Tara J. Wight, defendants

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

Counsel for Bank of New York Mellon FKA the Bank of New York filed a notice of appearance, but nothing more

National Default Servicing Corporation has signed a stipulation and order for non monetary relief.

CTC Real Estate Services, did not make an appearance in the district court case

Charles J. Wight and Tara J. Wight, have been defaulted in the district court case

**22. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.**

1. Injunctive relief;
2. Quiet title; and
3. Declaratory relief

**23. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?**

☐ Yes

☒ No

**24. If you answered "No" to question 23, complete the following:**

(a) Specify the claims remaining pending below:

The claims against The Bank of New York Mellon FKA the Bank of New York, CTC Real Estate Services and Charles and Tara Wight have not been resolved

(b) Specify the parties remaining below:

The Bank of New York Mellon FKA the Bank of New York, defendant

CTC Real Estate Services, defendant

Charles and Tara Wight

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☒ Yes

☐ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☒ Yes

☐ No

**25. If you answered "No" to any part of question 24, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):**

**26. Attach file-stamped copies of the following documents:**

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

## VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Saticoy Bay LLC Series 133 McLaren  
Name of appellant

Jun 5, 2014  
Date

Clark County, Nevada  
State and county where signed

Michael F. Bohn, Esq.  
Name of counsel of record

  
Signature of counsel of record


## CERTIFICATE OF SERVICE

I certify that on the 5th day of June, 2014, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ By personally serving it upon him/her; or
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Michael R. Brooks, Esq.  
Christopher S. Connell, Esq.  
BROOKS BAUER LLP  
1645 Village Center Circle, Suite 200  
Las Vegas, NV 89134

Dated this 5th day of June, 2014

  
Signature