

EXHIBIT 1

EXHIBIT 1

Jackie Gilbert

From: Dove, Kelly <kdove@swlaw.com>
Sent: Wednesday, April 26, 2017 2:02 PM
To: Jackie Gilbert
Subject: RE: petition?

Jackie,

Wells Fargo has decided in light of the cert filing in Bourne Valley not to file in the Saticoy Bay/Senholtz matter after all.

Thank you,
Kelly

Kelly H. Dove | Snell & Wilmer L.L.P. | P: (702) 784-5286 | F: (702) 784-5252

From: Jackie Gilbert [mailto:jackie@kgelegal.com]
Sent: Wednesday, April 26, 2017 11:14 AM
To: Dove, Kelly
Subject: petition?

Hi, Kelly,
Did WF already file its petition in Saticoy Bay and its just not showing up on the public docket yet?
We have not received anything and I was counsel of record on appeal for OA.
Thanks,
Jackie

Jacqueline A. Gilbert, Esq.

KIM GILBERT EBRON

fka Howard Kim & Associates

7625 Dean Martin Drive, Suite 110

Las Vegas, Nevada 89139

Phone: (702) 485-3300

Fax: (702) 485-3301

The information contained in this email is confidential and proprietary information intended for the use only of the intended addressee. If the reader of this email is not the intended addressee, you are notified that any dissemination, distribution, or copying of this message is prohibited. If you have received this message in error, please notify the sender immediately by telephone at (702) 485-3300 or by electronic mail (jackie@KGElegal.com) and then delete the message and all copies and backups. Thank you.

Unless expressly stated otherwise, any U.S. federal tax advice contained in this transmittal, is not intended or written to be used, and cannot be used, by any person for the purpose of (i) avoiding penalties under the U.S. Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this e-mail or attachment.

1 MICHAEL F. BOHN, ESQ.
Nevada Bar No.: 1641
2 mbohn@bohnlawfirm.com
LAW OFFICES OF
3 MICHAEL F. BOHN, ESQ., LTD.
376 East Warm Springs Road, Ste. 140
4 Las Vegas, Nevada 89119
(702) 642-3113/ (702) 642-9766 FAX
5 Attorney for plaintiff/appellant

Electronically Filed
May 10 2017 02:25 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

6
7
8 SUPREME COURT
9 STATE OF NEVADA

10 SATICOY BAY LLC SERIES 350
11 DURANGO 104,

No. 68630

12 Appellant,

13 vs.

14 WELLS FARGO HOME MORTGAGE,

15 Respondent.
16
17

18 **MOTION TO LIFT STAY OF ISSUANCE OF REMITTITUR**

19 Appellant Saticoy Bay LLC Series 350 Durango 104, by and through its
20 attorney, Michael F. Bohn, Esq., moves this court to lift the stay imposed by this
21 court's order granting motion to stay remittitur, filed on February 8, 2017, because
22 counsel for Wells Fargo Home Mortgage has stated that Wells Fargo no longer
23 intends to appeal this court's opinion, filed on January 26, 2017.

24 ///

25 ///

26 ///

27 ///

28

1 This motion is based on the attached declaration of Michael F. Bohn, Esq.
2 DATED this 10th day of May 2017.

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

5 By: / s / Michael F. Bohn, Esq. /
6 Michael F. Bohn, Esq.
7 376 East Warm Springs Road, Ste. 140
8 Las Vegas, Nevada 89119
Attorney for plaintiff/appellant

9 **DECLARATION OF MICHAEL F. BOHN**

10 MICHAEL F. BOHN, ESQ. states:

11 1. Declarant is the attorney for the appellant in this case and makes this
12 declaration based upon personal knowledge.

13 2. Declarant makes this declaration in support of the above motion to lift stay
14 of issuance of remittitur.

15 3. On February 6, 2017, respondent, Wells Fargo Home Mortgage, N.A., filed
16 its motion to stay remittitur and stated in paragraph 3 of its motion that “Wells Fargo
17 plans to pursue its right to petition the United States Supreme Court for a Writ of
18 Certiorari.”

19 4. On February 8, 2017, this court entered its order granting motion to stay
20 remittitur staying issuance of the remittitur until June 21, 2017.

21 5. On April 26, 2017, counsel for Wells Fargo advised counsel for appellant
22 by email that Wells Fargo has decided not to file an appeal to the United States
23 Supreme Court in the above-captioned matter. A copy of this email is Exhibit 1.

24 6. Pursuant to this court’s order of February 8, 2017, the remittitur was to
25 issue forthwith if Wells Fargo did not file a petition for writ of certiorari by June 21,
26 2017. Because Wells Fargo has stated that it no longer plans to file its petition, there
27 is no reason to wait until June 21, 2017 for the remittitur to be issued.

28 7. If called upon to testify to the above facts, declarant could do so

1 competently.

2 8. I declare under penalties of perjury under the law of the state of Nevada that
3 the foregoing is true and correct.

4 DATED this 9th day of May 2017

5
6 /S/ /Michael F. Bohn, Esq. /
7 MICHAEL F. BOHN, ESQ.

8
9 **CERTIFICATE OF SERVICE**

10 In accordance with N.R.A.P. 25, I hereby certify that I am an employee of the
11 Law Offices of Michael F. Bohn, Esq., Ltd., and that on the 10th day of May, 2017,
12 a copy of the foregoing MOTION TO LIFT STAY OF ISSUANCE OF
13 REMITTITUR was served electronically through the Court's electronic filing system
14 to the following individuals:

15 Andrew M. Jacobs, Esq.
16 Kelly H. Dove, Esq.
17 SNELL & WILMER, LLP
18 3883 Howard Hughes Parkway
19 Suite 1100
20 Las Vegas, NV 89169

21 /s/ /Marc Sameroff /
22 An Employee of the LAW OFFICES OF
23 MICHAEL F. BOHN, ESQ., LTD.
24
25
26
27
28