

CLERK OF THE COURT

Electronically Filed
Dec 21 2015 02:23 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

1 **NOAS**
2 MICHAEL F. BOHN, ESQ.
3 Nevada Bar No.: 1641
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5 LAW OFFICES OF
6 MICHAEL F. BOHN, ESQ.
7 376 East Warm Springs Road, Ste. 140
8 Las Vegas, Nevada 89119
9 (702) 642-3113/ (702) 642-9766 FAX
10 Attorney for plaintiff

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DISTRICT COURT
CLARK COUNTY, NEVADA

SATICOY BAY LLC SERIES 9641
CHRISTINE VIEW,

Plaintiff,

vs.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION; DON MORENO; and RIETA
MORENO,

Defendants

CASE NO. :A690924
DEPT. NO: VI

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Plaintiff, Saticoy Bay LLC Series 9641 Christine View, hereby
appeals to the Supreme Court of Nevada from the order denying plaintiff's motion for summary judgment
and granting Federal National Mortgage Association's counter motion for summary judgment entered on
December 8, 2015

DATED this 11th day of December 2015.

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

By: /s/ /Michael F. Bohn, Esq./
MICHAEL F. BOHN, ESQ.
376 E. Warm Springs Road, Suite 140
Las Vegas, Nevada 89119
Attorney for plaintiff

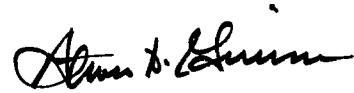
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5, NEFCR 9 and EDCR 8.05, I hereby certify that I am an employee of Law Offices of Michael F. Bohn., Esq., and on the 11th day of December, 2015, an electronic copy of the **NOTICE OF APPEAL** was served on opposing counsel via the Court's electronic service system to the following counsel of record:

Michael R. Brooks, Esq.
Alia A. Najjar, M.D., Esq.
BROOKS HUBLEY LLP
1645 Village Center Circle, Suite 200
Las Vegas, Nevada 89134

/s/ /Marc Sameroff/
An employee of the LAW OFFICES
OF MICHAEL F. BOHN, ESQ., LTD.



CLERK OF THE COURT

ASTA
MICHAEL F. BOHN, ESQ.
Nevada Bar No.: 1641
mbohn@bohnlawfirm.com
LAW OFFICES OF
MICHAEL F. BOHN, ESQ.
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Attorney for plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

SATICOY BAY LLC SERIES 9641
CHRISTINE VIEW,

Plaintiff,

vs.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION; DON MORENO; and
RIETA MORENO,

Defendants

CASE NO. :A690924
DEPT. NO: VI

CASE APPEAL STATEMENT

1. The appellant filing this case appeal statement is Saticoy Bay LLC Series 9641 Christine View.

2. The judge issuing the judgment appealed from is the honorable Elissa F. Cadish.

3. The parties to the proceedings in District Court is Saticoy Bay LLC Series 9641 Christine View, plaintiff, and Federal National Mortgage Association; Don Moreno; and Rieta Moreno defendants.

4. The parties to this appeal are the appellant Saticoy Bay LLC Series 9641 Christine View; the respondents are Federal National Mortgage Association.

5. Counsel for appellant Saticoy Bay LLC Series 9641 Christine View is Michael F. Bohn,

1 Esq.; 376 E. Warm Springs Road, Suite 140, Las Vegas, Nevada 89119; (702) 642-3113. Counsel
2 for respondent Federal National Mortgage Association. is Michael R. Brooks, Esq., Brooks Bauer
3 LLP, 1645 Village Center Circle, Suite 200, Las Vegas, Nevada, 89134, (702) 851-1191.

4 6. The attorneys for both the plaintiff/appellant and defendants/respondent are licensed in
5 the state of Nevada.

6 7. The appellant was represented by retained counsel in the District Court;

7 8. The appellant is represented by retained counsel on appeal;

8 9. There were no orders granting leave to proceed in forma pauperis;

9 10. The complaint was filed in District Court on October 30, 2013;

10 11. The plaintiff filed this action seeking quiet title to the real property from the former
11 owner and from all existing encumbrances on the property. The district court granted defendant's
12 motion for summary judgment;

13 12. The case has not previously been the subject of an appeal or an original writ proceedings;

14 13. The case does not involve child custody or visitation; and,

15 14. The issues presented in this case are issues of first impression. For this reason, it is
16 unlikely that this case can be settled.

17 DATED this 11th day of December 2015.

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

20
21 By: /s/ /Michael F. Bohn, Esq./
22 MICHAEL F. BOHN, ESQ.
23 376 E. Warm Springs Road, Suite 140
24 Las Vegas, Nevada 89119
25 Attorney for plaintiff
26
27
28

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCp 5, NEFCR 9 and EDCR 8.05, I hereby certify that I am an employee of
3 Law Offices of Michael F. Bohn., Esq., and on the 11th day of December, 2015, an electronic copy
4 of the **CASE APPEAL STATEMENT** was served on opposing counsel via the Court's electronic
5 service system to the following counsel of record:

6 Michael R. Brooks, Esq.
7 Alia A. Najjar, M.D., Esq.
8 BROOKS HUBLEY LLP
1645 Village Center Circle, Suite 200
Las Vegas, Nevada 89134

9
10 /s/ /Marc Sameroff/
An employee of the LAW OFFICES
OF MICHAEL F. BOHN, ESQ., LTD.
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DEPARTMENT 6
CASE SUMMARY
CASE NO. A-13-690924-C

Saticoy Bay LLC Series 9641 Christine View, Plaintiff(s)
vs.
Federal National Mortgage Association, Defendant(s)

§
§
§
§
§

Location: **Department 6**
Judicial Officer: **Cadish, Elissa F.**
Filed on: **10/30/2013**
Cross-Reference Case Number: **A690924**

CASE INFORMATION

Statistical Closures

12/08/2015 Summary Judgment

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-13-690924-C
Court	Department 6
Date Assigned	10/30/2013
Judicial Officer	Cadish, Elissa F.





PARTY INFORMATION

		<i>Lead Attorneys</i>
Plaintiff	Saticoy Bay LLC Series 9641 Christine View	Bohn, Michael F <i>Retained</i> 702-642-3113(W)
Defendant	Cooper Castle Law Firm LLP Removed: 02/18/2014 Dismissed	Waite, Aaron M. <i>Retained</i> 702-435-4175(W)
	Federal National Mortgage Association	Brooks, Michael R. <i>Retained</i> 702-851-1191(H)
	Moreno, Don	
	Moreno, Rieta	

DATE














EVENTS & ORDERS OF THE COURT

INDEX









10/30/2013	 Complaint Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Complaint</i>	
10/30/2013	Case Opened	
11/18/2013	 Affidavit of Service Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Affidavit of Service -Federal National Mortgage Association</i>	
12/03/2013	 Summons Issued Party: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Summons - Civil</i>	
12/03/2013	 Summons Issued Party: Plaintiff Saticoy Bay LLC Series 9641 Christine View	

DEPARTMENT 6
CASE SUMMARY
CASE NO. A-13-690924-C














Summons - Civil

12/05/2013	 Motion to Dismiss Filed By: Defendant Federal National Mortgage Association <i>Notice of Motion and Motion to Dismiss Pursuant to NRCP 12(b)(5); Request for Judicial Notice</i>
12/05/2013	 Initial Appearance Fee Disclosure Filed By: Defendant Federal National Mortgage Association <i>Initial Appearance Fee Disclosure</i>
12/06/2013	 Affidavit of Service Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Affidavit of Service - Copper Castle</i>
12/06/2013	 Certificate of Service Filed by: Defendant Federal National Mortgage Association <i>Certificate of Service</i>
12/09/2013	 Initial Appearance Fee Disclosure Filed By: Defendant Cooper Castle Law Firm LLP <i>Initial Appearance Fee Disclosure</i>
12/09/2013	 Request for Judicial Notice Filed By: Defendant Cooper Castle Law Firm LLP <i>Request for Judicial Notice</i>
12/09/2013	 Motion to Dismiss Filed By: Defendant Cooper Castle Law Firm LLP <i>Defendant The Cooper Castle Law Firm, LLP's Notice of Motion and Motion to Dismiss Complaint</i>
12/13/2013	 Amended Certificate of Service Party: Defendant Cooper Castle Law Firm LLP <i>Amended Certificate of Service</i>
12/31/2013	 Opposition to Motion to Dismiss Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Opposition to Defendant The Cooper Castle Law Firm LLP's Motion to Dismiss</i>
01/06/2014	 Reply in Support Filed By: Defendant Cooper Castle Law Firm LLP <i>Reply in Support of Motion to Dismiss</i>
01/07/2014	 Opposition to Motion to Dismiss Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Opposition to Motion to Dismiss and Countermotion to Stay Case</i>
01/09/2014	 Reply to Opposition Filed by: Defendant Federal National Mortgage Association <i>Green Tree Servicing LLC's Reply to Plaintiff's Opposition to Motion to Dismiss and Countermotion to Stay Case</i>
01/10/2014	 Errata

DEPARTMENT 6
CASE SUMMARY
CASE NO. A-13-690924-C

	Filed By: Defendant Federal National Mortgage Association <i>Errata to Reply to Plaintiff's Opposition to Motion to Dismiss and Countermotion to Stay Case</i>
01/14/2014	Motion to Dismiss (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Defendant Federal National Mortgage Association's Motion to Dismiss Pursuant to NRCP 12 (b)(5); Request for Judicial Notice</i>
01/14/2014	Motion to Dismiss (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Defendant The Cooper Castle Law Firm, LLP's Motion to Dismiss Complaint</i>
01/14/2014	Opposition and Countermotion (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Opposition to Motion to Dismiss; and Countermotion to Stay Case</i>
01/14/2014	 All Pending Motions (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
02/18/2014	 Order Granting Motion Filed By: Defendant Cooper Castle Law Firm LLP <i>Order Granting Defendant The Cooper Castle Law Firm, LLP's Motion to Dismiss</i>
02/18/2014	Order of Dismissal (Judicial Officer: Cadish, Elissa F.) Debtors: Saticoy Bay LLC Series 9641 Christine View (Plaintiff) Creditors: Cooper Castle Law Firm LLP (Defendant) Judgment: 02/18/2014, Docketed: 02/25/2014
02/19/2014	 Notice of Entry of Order Filed By: Defendant Cooper Castle Law Firm LLP <i>Notice of Entry of Order</i>
03/13/2014	 Ex Parte Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Ex Parte Motion for Temporary Restraining Order; or Alternatively for Order to Show Cause</i>
03/14/2014	 Motion for Preliminary Injunction Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Motion for Preliminary Injunction</i>
03/17/2014	 Ex Parte Motion Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Ex Parte Motion for Order Shortening Time</i>
03/19/2014	 Order Shortening Time Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Order Shortening Time</i>
03/19/2014	 Certificate of Mailing Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Certificate of Mailing</i>
03/28/2014	 Opposition to Motion Filed By: Defendant Federal National Mortgage Association <i>Opposition to Plaintiff's Motion for Preliminary Injunction</i>
04/01/2014	 Notice of Posting Bond Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Notice of Posting Security</i>













DEPARTMENT 6
CASE SUMMARY
CASE NO. A-13-690924-C

04/01/2014	 Motion for Preliminary Injunction (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
04/01/2014	 Order Granting Preliminary Injunction Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Order Granting Preliminary Injunction</i>
04/02/2014	 Notice of Entry of Order Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Notice of Entry of Order</i>
04/04/2014	 Certificate of Mailing Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Certificate of Mailing</i>
05/02/2014	 Answer Filed By: Defendant Federal National Mortgage Association <i>Defendant Federal National Mortgage Association dba Fannie Mae's Answer</i>
07/23/2014	 Joint Case Conference Report Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Joint Case Conference Report</i>
07/23/2014	 Certificate of Service Filed by: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Certificate of Service</i>
07/28/2014	 Scheduling Order <i>Scheduling Order</i>
08/07/2014	 Order Setting Civil Non-Jury Trial <i>Order Setting Civil Non-Jury Trial and Calendar Call</i>
11/18/2014	 Amended Order Setting Jury Trial <i>Amended Order Setting Civil Jury Trial and Calendar Call</i>
12/03/2014	 Stipulation and Order to Extend Discovery Deadlines Filed By: Defendant Federal National Mortgage Association <i>Stipulation and Order to Extend Discovery Deadline and Extend Pre-Trial Deadlines</i>
12/16/2014	CANCELED Status Check (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Order</i>
01/30/2015	 Stipulation and Order Filed by: Defendant Federal National Mortgage Association <i>Stipulation and Order for Federal National Mortgage Association to File a First Amended Answer</i>
02/04/2015	 Amended Answer Filed By: Defendant Federal National Mortgage Association <i>First Amended Answer</i>
03/10/2015	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Order</i>











DEPARTMENT 6
CASE SUMMARY
CASE NO. A-13-690924-C

03/16/2015	CANCELED Bench Trial (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Order</i>
03/26/2015	 Stipulation to Extend Discovery Party: Defendant Federal National Mortgage Association <i>Stipulation and Order to Extend Discovery and Dispositive Motions Deadline [Second Request]</i>
03/27/2015	 Amended Order Setting Civil Non-Jury Trial <i>Second Amended Order Setting Civil Non-Jury Trial and Calendar Call</i>
03/27/2015	 Notice of Entry of Stipulation and Order Filed By: Defendant Federal National Mortgage Association <i>Notice of Entry of Stipulation and Order to Extend Discovery and Dispositive Motions Deadline [Second Request] [Discovery Commissioner]</i>
04/22/2015	 Motion for Summary Judgment Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Motion for Summary Judgment</i>
05/08/2015	 Opposition to Motion For Summary Judgment Filed By: Defendant Federal National Mortgage Association <i>Defendant's Federal National Mortgage Association's Opposition to Plaintiff's Motion for Summary Judgment and Counter Motion for Summary Judgment</i>
05/08/2015	 Declaration Filed By: Defendant Federal National Mortgage Association <i>Declaration of Michael R. Brooks in Support of Motion Under NRCP 56(f)</i>
05/08/2015	 Notice Filed By: Defendant Federal National Mortgage Association <i>Defendant Federal National Mortgage Association's Notice of Attorney General of Constitutional Challenge to State Statute NRS 116.31162-116.31168</i>
05/08/2015	 Statement Filed by: Defendant Federal National Mortgage Association <i>Defendant's Federal National Mortgage Association's Statement of Disputed Facts and Conclusion of Law</i>
05/11/2015	 Initial Appearance Fee Disclosure Filed By: Defendant Federal National Mortgage Association <i>Initial Appearance Fee Disclosure for Federal National Mortgage Association et al. Counter-motion for Summary Judgment</i>
05/19/2015	 Reply in Support Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Reply in Support of Plaintiff's Motion for Summary Judgment and Opposition to Defendant's Counter-Motion for Summary Judgment</i>
05/19/2015	CANCELED Status Check (8:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Stipulation and Order</i>
05/26/2015	 Motion for Summary Judgment (8:30 AM) (Judicial Officer: Cadish, Elissa F.) 05/26/2015, 06/16/2015, 10/13/2015, 11/17/2015 <i>Plaintiff, Saticoy Bay, LLC Series 9641 Christine View's Motion for Summary Judgment</i>

DEPARTMENT 6
CASE SUMMARY
CASE NO. A-13-690924-C

05/26/2015	Opposition and Counter-motion (8:30 AM) (Judicial Officer: Cadish, Elissa F.) 05/26/2015, 06/16/2015 <i>Defendant's Federal National Mortgage Association's Opposition to Plaintiff's Motion for Summary Judgment and Counter-Motion for Summary Judgment</i>
05/26/2015	 All Pending Motions (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
05/28/2015	 Stipulation and Order Filed by: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Stipulation and Order</i>
05/29/2015	 Notice of Entry Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Notice of Entry of Order</i>
06/15/2015	 Receipt of Copy Filed by: Defendant Federal National Mortgage Association <i>Receipt of Copy</i>
06/16/2015	 All Pending Motions (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
06/19/2015	 Lis Pendens Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Notice of Lis Pendens</i>
07/28/2015	 Status Check (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
07/28/2015	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Stipulation and Order</i>
08/03/2015	CANCELED Bench Trial (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Stipulation and Order</i>
08/06/2015	 Amended Order Setting Civil Non-Jury Trial <i>Second Amended Order Setting Civil Non-Jury Trial and Calendar Call</i>
08/31/2015	 Amended Notice of Taking Deposition Filed By: Defendant Federal National Mortgage Association <i>Amended Notice of Taking Deposition</i>
09/14/2015	 Opposition to Motion For Summary Judgment Filed By: Defendant Federal National Mortgage Association <i>Defendant Federal National Mortgage Association's Supplemental Opposition to Plaintiff's Motion for Summary Judgment and Supplemental Counter-Motion for Summary Judgment</i>
09/25/2015	 Reply Filed by: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Reply to Defendant Federal National Mortgage Association's Supplemental Opposition to Plaintiff's Motion for Summary Judgment and opposition to Defendant's Counter-Motion for Summary Judgment</i>
10/06/2015	 Status Check (8:30 AM) (Judicial Officer: Cadish, Elissa F.)
10/06/2015	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Cadish, Elissa F.)

DEPARTMENT 6
CASE SUMMARY
CASE NO. A-13-690924-C

	<i>Vacated - per Judge</i>	
10/06/2015	 Default Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Default for Don Moreno and Rieta Moreno</i>	
10/12/2015	CANCELED Bench Trial (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated - per Judge</i>	
10/23/2015	 Request for Judicial Notice Filed By: Defendant Federal National Mortgage Association <i>Fannie Mae's Request for Judicial Notice of Documents in Support of Motion for Summary Judgment on all claims involving Title</i>	
10/23/2015	 Opposition and Countermotion Filed By: Defendant Federal National Mortgage Association <i>Second Supplemental Opposition to Motion for Summary Judgment and Countermotion for Summary Judgment</i>	
11/04/2015	 Reply Filed by: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Plaintiff's Reply to Second Supplemental Opposition to Plaintiff's Motion for Summary Judgment and Opposition to Countermotion for Summary Judgment</i>	
11/05/2015	 Notice of Intent to Take Default Party: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Three Day Notice of Intent to Obtain Default Judgment</i>	
11/24/2015	 Recorders Transcript of Hearing <i>Recorder's Transcript of Hearing: Plaintiff, Saticoy Bay, LLC Series 9641 Christine View's Motion for Summary Judgment, November 17, 2015</i>	
12/08/2015	 Order Filed By: Defendant Federal National Mortgage Association <i>Order Denying Plaintiff's Motion for Summary Judgment and Granting Federal National Mortgage Association's Countermotion for Summary Judgment</i>	
12/10/2015	 Notice of Entry Filed By: Defendant Federal National Mortgage Association <i>Notice of Entry of Order Denying Plaintiff's Motion for Summary Judgment and Granting Federal National Mortgage Association's Countermotion for Summary Judgment</i>	
12/11/2015	 Notice of Appeal Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Notice of Appeal</i>	
12/11/2015	 Case Appeal Statement Filed By: Plaintiff Saticoy Bay LLC Series 9641 Christine View <i>Case Appeal Statement</i>	
12/15/2015	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated</i>	
01/04/2016	CANCELED Bench Trial (10:00 AM) (Judicial Officer: Cadish, Elissa F.) <i>Vacated</i>	
DATE	FINANCIAL INFORMATION	

DEPARTMENT 6
CASE SUMMARY
CASE NO. A-13-690924-C

Defendant Cooper Castle Law Firm LLP

Total Charges 223.00

Total Payments and Credits 223.00

Balance Due as of 12/15/2015 0.00

Defendant Federal National Mortgage Association

Total Charges 423.00

Total Payments and Credits 423.00

Balance Due as of 12/15/2015 0.00

Plaintiff Saticoy Bay LLC Series 9641 Christine View

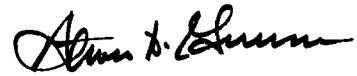
Total Charges 494.00

Total Payments and Credits 494.00

Balance Due as of 12/15/2015 0.00

Plaintiff Saticoy Bay LLC Series 9641 Christine View

Injunction Balance as of 12/15/2015 **5,000.00**



CLERK OF THE COURT

1 **ORDR**

Michael R. Brooks, Esq.

2 Nevada Bar No. 7287

BROOKS HUBLEY LLP

3 1645 Village Center Circle, Suite 200

Las Vegas, NV 89134

4 Tel: (702) 851-1191

Fax: (702) 851-1198

5 E-mail: mbrooks@brookshubley.com

Attorneys for Defendant Federal National Mortgage Association

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 SATICOY BAY LLC SERIES 9641
CHRISTINE VIEW,

10 Plaintiff,

11 v.

12 FEDERAL NATIONAL MORTGAGE
ASSOCIATION; THE COOPER CASTLE
LAW FIRM, LLP; DON MORENO AND
13 RIETA MORENO,

14 Defendants.

Case No.: A-13-690924-C

Dept. No.: VI

**ORDER DENYING PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT AND GRANTING
FEDERAL NATIONAL MORTGAGE
ASSOCIATION'S
COUNTERMOTION FOR
SUMMARY JUDGMENT**

16 This matter came for hearing on November 17, 2015, at 8:30 a.m., in Department
17 VI of the Eighth Judicial District Court, in and for Clark County, Nevada, with the
18 Honorable Elissa F. Cadish presiding, on Plaintiff, Saticoy Bay LLC Series 9641 Christine
19 View's ("Plaintiff"), Motion for Summary Judgment and Defendant, Federal National
20 Mortgage Association's ("Fannie Mae"), Counter-Motion for Summary Judgment; with
21 Michael F. Bohn, Esq. appearing on behalf of Plaintiff; and Michael R. Brooks, Esq., of
22 Brooks Hubley, LLP, appearing on behalf of Fannie Mae.

<input type="checkbox"/> Voluntary Dismissal	<input checked="" type="checkbox"/> Summary Judgment
<input type="checkbox"/> Involuntary Dismissal	<input type="checkbox"/> Stipulated Judgment
<input type="checkbox"/> Stipulated Dismissal	<input type="checkbox"/> Default Judgment
<input type="checkbox"/> Motion to Dismiss by Defendant	<input type="checkbox"/> Judgment of Arbitration

Page 1

This Court, having considered all pleadings and papers on file herein and arguments of counsel, and for good cause shown, hereby orders the following:

FINDINGS OF FACTS

1. A Deed of Trust listing Don and Rieta Moreno as the borrowers, Countrywide Home Loans, Inc. ("Countrywide") as the original lender, and Mortgage Electronic Registration Systems, Inc ("MERS") as beneficiary and nominee for Lender and Lender's successors and assigns, was recorded on November 2, 2004. The Deed of Trust granted Countrywide and its successors and assigns a security interest in real property known as 9641 Christine View Court, Las Vegas 89129 (the "Property") to secure the repayment of a loan in the original amount of \$174,950.00 (the "Loan").

2. On September 6, 2008, pursuant to Housing & Economic Recovery Act of 2008 ("HERA"), the Director of the Federal Housing Finance Agency ("FHFA" or "Conservator") placed Fannie Mae and Freddie Mac into conservatorship.

3. On March 17, 2010, Nevada Association Services ("NAS"), on behalf of the HOA, recorded a lien for delinquent assessments against the Property. Per the notice of delinquent assessments, the amount owing as of the date of preparation of the lien was \$1,050.00.

4. On August 16, 2010, NAS, on behalf of the HOA, recorded a notice of default and election to sell against the Property.

5. On May 30, 2012, MERS assigned the Deed of Trust to Bank of America, N.A., Successor by Merger to BAC Home Loans Servicing, LP FKA Countrywide Home Loans Servicing, LP. This document was recorded on June 1, 2012, in the Official Records for Clark County as instrument number 20120601-0002535.

6. On October 6, 2012, Bank of America assigned the Deed of Trust to Fannie Mae. This document was recorded on October 19, 2012, in the Official Records for Clark County as instrument number 20121019-000325.

7. NAS, on behalf of the HOA, recorded a Second Notice of Trustee's Sale against the Property on August 15, 2013. Per the Notice of Trustee's Sale, the amount owed as of the time of initial publication of the Notice of Sale, totaled \$2,712.17.

8. On September 26, 2013, a Trustee's Deed Upon Sale was recorded against the Property. The Trustee's Deed Upon Sale states that the Property was sold on September 6, 2013, to Saticoy Bay for a purchase price of \$26,800.00.

9. At no time did the Conservator consent to the HOA's foreclosure sale extinguishing or foreclosing Fannie Mae's interest in Property.

CONCLUSIONS OF LAW

THE COURT HEREBY FINDS AS FINDS AS FOLLOWS AS A MATTER OF LAW:

1. 12 U.S.C. § 4617(j)(3) preempts Nevada Revised Statute § 116.3116 to the extent that a homeowner association's foreclosure of its super-priority lien cannot extinguish a property interest of Fannie Mae while it is under FHFA's conservatorship.

2. Fannie Mae's interest in Property secured by the Deed of Trust was a property interest protected by 12 U.S.C. § 4617(j)(3).

3. The HOA's foreclosure sale of its super-priority interest in this case did not extinguish Fannie Mae's interest in the Property secured by the Deed of Trust nor convey the Property to Saticoy Bay free and clear of the Deed of Trust.

4. Saticoy Bay's interest in the Property is subject to the Deed of Trust.

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Fannie
2 Mae's Counterclaims for Quiet Title and Declaratory Relief are each resolved in favor of
3 Fannie Mae, and that Fannie Mae's Counter-Motion for Summary Judgment, is
4 GRANTED.

5 IT IS FURTHER ORDERED that based on the above findings and order,
6 Plaintiff's claims for Quiet Title and Declaratory Relief are each resolved in favor of
7 Fannie Mae, and that Plaintiff's Motion for Summary Judgment is DENIED.

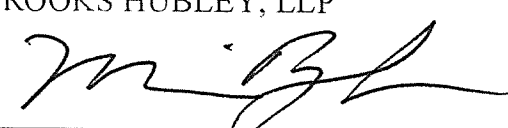
8 IT IS SO ORDERED.

9 DATED this 7 day of December, 2015.


10 
11 DISTRICT COURT JUDGE *luc*

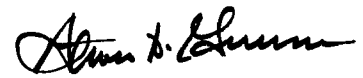
12 Respectfully submitted by:

13 BROOKS HUBLEY, LLP

14 
15 MICHAEL R. BROOKS, ESQ.
16 *Attorneys for Defendant Federal*
National Mortgage Association

17
18 Approved as to Form and Content:

19 
20 MICHAEL F. BOHN, ESQ.
21 *Attorney for Plaintiff Saticoy Bay LLC*
Series 9641 Christine View



CLERK OF THE COURT

1 **NEO**

Michael R. Brooks, Esq.

2 Nevada Bar No. 7287

BROOKS HUBLEY LLP

3 1645 Village Center Circle, Suite 200

Las Vegas, NV 89134

4 Tel: (702) 851-1191

Fax: (702) 851-1198

5 E-mail: mbrooks@brookshubley.com

Attorneys for Defendant Federal National Mortgage Association

6
7
8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 SATICOY BAY LLC SERIES 9641
CHRISTINE VIEW,

11 Plaintiff,

12 v.

13 FEDERAL NATIONAL MORTGAGE
ASSOCIATION; THE COOPER CASTLE
LAW FIRM, LLP; DON MORENO AND
14 RIETA MORENO,

15 Defendants.

Case No.: A-13-690924-C

Dept. No.: VI

**NOTICE OF ENTRY OF ORDER
DENYING PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT AND
GRANTING FEDERAL NATIONAL
MORTGAGE ASSOCIATION'S
COUNTERMOTION FOR
SUMMARY JUDGMENT**

16
17 PLEASE TAKE NOTICE that an Order Denying Plaintiff's Motion for Summary
18 Judgment and Granting Federal National Mortgage Association's Countermotion for
19 Summary Judgment was entered in the above-captioned matter on the 8th day of
20 December, 2015.

21 ///

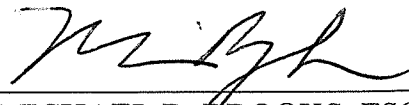
22 ///

23 ///

1 A true and correct copy of said Order is attached hereto.

2 DATED this 10 day of December, 2015.

3 BROOKS HUBLEY, LLP

4 

5 MICHAEL R. BROOKS, ESQ.
6 *Attorneys for Defendant Federal*
7 *National Mortgage Association*

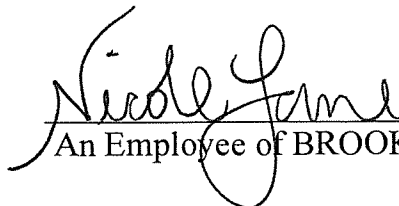
CERTIFICATE OF SERVICE

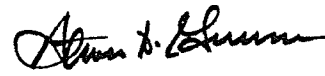
I, the undersigned, hereby certify that I am employed in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is that of Brooks Hubley, LLP, 1645 Village Center Circle, Suite 200, Las Vegas, Nevada 89134.

I HEREBY CERTIFY that, pursuant to Eighth Judicial District Court Administrative Order 14-2 and EDCR 8.05(i), I electronically served, via the Eighth Judicial District Court electronic filing system and in place of service by mail, the **NOTICE OF ENTRY OF ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND GRANTING FEDERAL NATIONAL MORTGAGE ASSOCIATION'S COUNTERMOTION FOR SUMMARY JUDGMENT** on the following parties and those parties listed on the Court's Master List in said action:

<u>Law Offices of Michael F. Bohn, Esq.</u>		
	<u>Contact</u>	<u>Email</u>
-	<u>Eserve Contact</u>	<u>office@bohnlawfirm.com</u>
-	<u>Michael F Bohn Esq.</u>	<u>mbohn@bohnlawfirm.com</u>

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 10th day of December, 2015, at Las Vegas, Nevada.


An Employee of BROOKS HUBLEY, LLP


CLERK OF THE COURT

1 **ORDR**

Michael R. Brooks, Esq.

2 Nevada Bar No. 7287

BROOKS HUBLEY LLP

3 1645 Village Center Circle, Suite 200

Las Vegas, NV 89134

4 Tel: (702) 851-1191

Fax: (702) 851-1198

5 E-mail: mbrooks@brookshubley.com

Attorneys for Defendant Federal National Mortgage Association

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 SATICOY BAY LLC SERIES 9641
CHRISTINE VIEW,

Case No.: A-13-690924-C

Dept. No.: VI

10 Plaintiff,

11 v.

12 FEDERAL NATIONAL MORTGAGE
ASSOCIATION; THE COOPER CASTLE
LAW FIRM, LLP; DON MORENO AND
13 RIETA MORENO,

14 Defendants.

**ORDER DENYING PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT AND GRANTING
FEDERAL NATIONAL MORTGAGE
ASSOCIATION'S
COUNTERMOTION FOR
SUMMARY JUDGMENT**

15
16 This matter came for hearing on November 17, 2015, at 8:30 a.m., in Department
17 VI of the Eighth Judicial District Court, in and for Clark County, Nevada, with the
18 Honorable Elissa F. Cadish presiding, on Plaintiff, Saticoy Bay LLC Series 9641 Christine
19 View's ("Plaintiff"), Motion for Summary Judgment and Defendant, Federal National
20 Mortgage Association's ("Fannie Mae"), Counter-Motion for Summary Judgment; with
21 Michael F. Bohn, Esq. appearing on behalf of Plaintiff; and Michael R. Brooks, Esq., of
22 Brooks Hubley, LLP, appearing on behalf of Fannie Mae.

<input type="checkbox"/> Voluntary Dismissal	<input checked="" type="checkbox"/> Summary Judgment
<input type="checkbox"/> Involuntary Dismissal	<input type="checkbox"/> Stipulated Judgment
<input type="checkbox"/> Stipulated Dismissal	<input type="checkbox"/> Default Judgment
<input type="checkbox"/> Motion to Dismiss by Defendant	<input type="checkbox"/> Judgment of Arbitration

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

1 This Court, having considered all pleadings and papers on file herein and
2 arguments of counsel, and for good cause shown, hereby orders the following:

3 **FINDINGS OF FACTS**

4 1. A Deed of Trust listing Don and Rieta Moreno as the borrowers,
5 Countrywide Home Loans, Inc. ("Countrywide") as the original lender, and Mortgage
6 Electronic Registration Systems, Inc ("MERS") as beneficiary and nominee for Lender
7 and Lender's successors and assigns, was recorded on November 2, 2004. The Deed of
8 Trust granted Countrywide and its successors and assigns a security interest in real
9 property known as 9641 Christine View Court, Las Vegas 89129 (the "Property") to
10 secure the repayment of a loan in the original amount of \$174,950.00 (the "Loan").

11 2. On September 6, 2008, pursuant to Housing & Economic Recovery Act of
12 2008 ("HERA"), the Director of the Federal Housing Finance Agency ("FHFA" or
13 "Conservator") placed Fannie Mae and Freddie Mac into conservatorship.

14 3. On March 17, 2010, Nevada Association Services ("NAS"), on behalf of
15 the HOA, recorded a lien for delinquent assessments against the Property. Per the notice
16 of delinquent assessments, the amount owing as of the date of preparation of the lien was
17 \$1,050.00.

18 4. On August 16, 2010, NAS, on behalf of the HOA, recorded a notice of
19 default and election to sell against the Property.

20 5. On May 30, 2012, MERS assigned the Deed of Trust to Bank of America,
21 N.A., Successor by Merger to BAC Home Loans Servicing, LP FKA Countrywide Home
22 Loans Servicing, LP. This document was recorded on June 1, 2012, in the Official
23 Records for Clark County as instrument number 20120601-0002535.

6. On October 6, 2012, Bank of America assigned the Deed of Trust to Fannie Mae. This document was recorded on October 19, 2012, in the Official Records for Clark County as instrument number 20121019-000325.

7. NAS, on behalf of the HOA, recorded a Second Notice of Trustee's Sale against the Property on August 15, 2013. Per the Notice of Trustee's Sale, the amount owed as of the time of initial publication of the Notice of Sale, totaled \$2,712.17.

8. On September 26, 2013, a Trustee's Deed Upon Sale was recorded against the Property. The Trustee's Deed Upon Sale states that the Property was sold on September 6, 2013, to Saticoy Bay for a purchase price of \$26,800.00.

9. At no time did the Conservator consent to the HOA's foreclosure sale extinguishing or foreclosing Fannie Mae's interest in Property.

CONCLUSIONS OF LAW

THE COURT HEREBY FINDS AS FINDS AS FOLLOWS AS A MATTER OF LAW:

1. 12 U.S.C. § 4617(j)(3) preempts Nevada Revised Statute § 116.3116 to the extent that a homeowner association's foreclosure of its super-priority lien cannot extinguish a property interest of Fannie Mae while it is under FHFA's conservatorship.

2. Fannie Mae's interest in Property secured by the Deed of Trust was a property interest protected by 12 U.S.C. § 4617(j)(3).

3. The HOA's foreclosure sale of its super-priority interest in this case did not extinguish Fannie Mae's interest in the Property secured by the Deed of Trust nor convey the Property to Saticoy Bay free and clear of the Deed of Trust.

4. Saticoy Bay's interest in the Property is subject to the Deed of Trust.

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Fannie
2 Mae's Counterclaims for Quiet Title and Declaratory Relief are each resolved in favor of
3 Fannie Mae, and that Fannie Mae's Counter-Motion for Summary Judgment, is
4 GRANTED.

5 IT IS FURTHER ORDERED that based on the above findings and order,
6 Plaintiff's claims for Quiet Title and Declaratory Relief are each resolved in favor of
7 Fannie Mae, and that Plaintiff's Motion for Summary Judgment is DENIED.

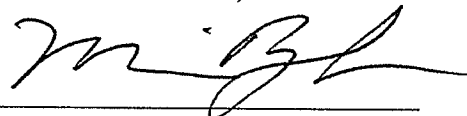
8 IT IS SO ORDERED.

9 DATED this 7 day of December, 2015.

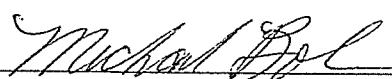
10 
11 DISTRICT COURT JUDGE *lee*

12 Respectfully submitted by:

13 BROOKS HUBLEY, LLP

14 
15 MICHAEL R. BROOKS, ESQ.
16 *Attorneys for Defendant Federal*
National Mortgage Association

17
18 Approved as to Form and Content:

19 
20 MICHAEL F. BOHN, ESQ.
21 *Attorney for Plaintiff Saticoy Bay LLC*
Series 9641 Christine View

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

January 14, 2014

A-13-690924-C Saticoy Bay LLC Series 9641 Christine View, Plaintiff(s)
vs.
Federal National Mortgage Association, Defendant(s)

January 14, 2014 8:30 AM All Pending Motions

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT: Bohn, Michael F Attorney
 Brooks, Michael R. Attorney
 Hanks, Ashley Gordon, ESQ Attorney

JOURNAL ENTRIES

- Defendant Federal National Mortgage Association's Motion to Dismiss Pursuant to NRCP 12(b)(5); Request for Judicial Notice...Defendant The Cooper Castle Law Firm, LLP's Motion to Dismiss Complaint...Opposition to Motion to Dismiss; and Countermotion to Stay Case

Also present on behalf of the Plaintiff, Kelly Perry Esq. Following arguments by counsel, Court stated findings and ORDERED, Defendant The Cooper Castle Law Firm, LLP's Motion to Dismiss Complaint GRANTED; as to Defendant Federal National Mortgage Association's Motion to Dismiss Pursuant to NRCP 12(b)(5); Request for Judicial Notice, motion DENIED; Countermotion to Stay Case DENIED

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

April 01, 2014

A-13-690924-C	Saticoy Bay LLC Series 9641 Christine View, Plaintiff(s)
	vs.
	Federal National Mortgage Association, Defendant(s)

April 01, 2014

8:30 AM

**Motion for Preliminary
Injunction**

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:

Bohn, Michael F

Attorney

Brooks, Michael R.

Attorney

JOURNAL ENTRIES

- Matter submitted on the record by Mr. Bohn. Mr. Brooks argued he does not want possession during litigation, but would like to be able to go forward with the foreclosure sale and to make sure title is vested in his client's name. Argument in support of Motion for Preliminary Injunction by Mr. Bohn arguing his client is the owner of the property, the injunction should be entered and the Supreme Court ruling awaited; the sale is tomorrow. Continued argument in opposition of motion by Mr. Brooks. Continued argument in support of motion by Mr. Bohn with a minimal bond requested. Court stated findings and ORDERED, Motion For Preliminary Injunction GRANTED enjoining the Defendant from foreclosing pending further order from this Court. Mr. Brooks requested bond of \$5,000.00 and presented argument in support thereof. COURT ORDERED, bond or security of \$5,0000.00 to be posted; Plaintiff is to maintain the property, insurance and pay the taxes. Colloquy regarding the proposed content of the order to be presented by Mr. Bohn.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

May 26, 2015

A-13-690924-C Saticoy Bay LLC Series 9641 Christine View, Plaintiff(s)
vs.
Federal National Mortgage Association, Defendant(s)

May 26, 2015

8:30 AM

All Pending Motions

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed
Shelley Boyle

RECORDER: Jessica Ramirez

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- MOTION FOR SUMMARY JUDGMENT DEFENDANT S FEDERAL NATIONAL MORTGAGE ASSOCIATION S OPPOSITION TO PLAINTIFF S MOTION FOR SUMMARY JUDGMENT AND COUNTER-MOTION FOR SUMMARY JUDGMENT

Pursuant to stipulation by counsel, COURT ORDERED, matters OFF CALENDAR.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

June 16, 2015

A-13-690924-C	Saticoy Bay LLC Series 9641 Christine View, Plaintiff(s) vs. Federal National Mortgage Association, Defendant(s)
---------------	--

June 16, 2015

8:30 AM

All Pending Motions

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Shelly Landwehr

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:

Bohn, Michael F
Brooks, Michael R.

Attorney
Attorney

JOURNAL ENTRIES

- MOTION FOR SUMMARYJUDGMENT...DEFENDANT'S FEDERAL NATIONAL MORTGAGE ASSCIATION'S OPPOSITION TO PLAINTFF'S MOTION FOR SUMMARY JUDGMENT AND COUNTER-MOTION FOR SUMMARY JUDGMENT

Court noted defendant's affidavit was missing pages. Mr. Brooks stated he would supplement. Mr. Brooks stated discovery is ending this month and stated defendant needs an extension of 60-90 days to complete it. Mr. Bohn stated he would not object to the extension.

Upon Court's inquiry, Mr. Brooks stated defendant needs to investigate the addition of the budget as it is critical to the plaintiff's case and how it came to be adopted during the relevant time frame and stated it would be 2-3 witnesses and the person most knowledgeable whose depositions would be needed. Mr. Brooks further argued regarding the statute and a single lien not being divisible or parcelable. Mr. Brooks further argued regarding the SFR decision.

Mr. Bohn stated he needs to take defendant's deposition. Court stated it would allow the discovery; however, parties need to go before Commissioner Bulla on the extension. Following further arguments by Mr. Brook, COURT ORDERED, 56(f) relief GRANTED. Court will allow additional

time to respond to the summary judgment motion and ORDERED matter CONTINUED. Briefing schedule SET as follows: 8/14/15 for the Supplemental Opposition, 8/24/15 for the Supplemental Reply, hearing 9/01/15.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

July 28, 2015

A-13-690924-C Saticoy Bay LLC Series 9641 Christine View, Plaintiff(s)
vs.
Federal National Mortgage Association, Defendant(s)

July 28, 2015

8:30 AM

Status Check

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Tena Jolley

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:

Bohn, Michael F

Attorney

Brooks, Michael R.

Attorney

Foster, Kyle

Attorney

JOURNAL ENTRIES

- Mr. Brooks advised that counsel have agreed to extend the briefing on the Motion for Summary Judgment for 30 days in order to complete the discovery. Mr. Bohn concurred. Mr. Brooks also advised they may need to amend the pleadings to bring in additional parties. Court noted there was a Stipulation and Order to Extend Discovery which will impact the current trial setting. COURT ORDERED, Trial date VACATED, a new Trial Setting Order will be sent from Chambers. COURT FURTHER ORDERED, Defendant's Supplemental Opposition DUE September 14, 2015; Plaintiff's Supplemental Reply DUE September 25, 2014; and the Hearing on Motion for Summary Judgment RESCHEDULED for October 13, 2015.

10/13/15 8:30 AM MOTION FOR SUMMARY JUDGMENT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

October 06, 2015

A-13-690924-C	Saticoy Bay LLC Series 9641 Christine View, Plaintiff(s) vs. Federal National Mortgage Association, Defendant(s)
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October 06, 2015 8:30 AM Status Check

HEARD BY: Cadish, Elissa F. **COURTROOM:** RJC Courtroom 15B

COURT CLERK: Billie Jo Craig

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT: Brooks, Michael R. Attorney

JOURNAL ENTRIES

- Attorney Shirley Foster present on behalf of Plaintiff.

Mr. Brooks advised this was regarding property at 9641 Christine View. Court noted a Summary Judgment Hearing next week. Upon inquiry of the Court, counsel advised Discovery was completed. Court inquired if the Motion for Summary Judgment was Granted, how long would the Trial take. Counsel advised 2 to 3 days. COURT ORDERED, Trial date STANDS. Court reminded counsel Motions in Limine were due 10/29/15.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

October 13, 2015

A-13-690924-C	Saticoy Bay LLC Series 9641 Christine View, Plaintiff(s) vs. Federal National Mortgage Association, Defendant(s)
---------------	--

October 13, 2015	8:30 AM	Motion for Summary Judgment
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HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keith Reed

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT:	Bohn, Michael F	Attorney
	Brooks, Michael R.	Attorney

JOURNAL ENTRIES

- In the preparation for the hearing, and given the timing of the filing of the motion, Mr. Brooks stated he's not asserted a Harrah defense and it's been agreed matters are to be trailed for the completeness of the record; and an opportunity is requested to do so. Mr. Bohn stated he has an upcoming trial, and there s no opposition to a continuance of the trial until next spring. Upon the inquiry of the Court, Mr. Brooks acknowledged time is needed to supplement the briefing of the motion for Summary Judgment. Colloquy regarding the continuance of proceedings for supplementation of briefs. COURT ORDERED, the Defendant s supplement is to be filed October 27th, Plaintiff s response is due November 10th, matter CONTINUED to November 17th .

11-17-15 8:30 AM Plaintiff Saticoy Bay, LLC Series 9641 Christine View s Motion for Summary Judgment

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Title to Property

COURT MINUTES

November 17, 2015

A-13-690924-C Saticoy Bay LLC Series 9641 Christine View, Plaintiff(s)
vs.
Federal National Mortgage Association, Defendant(s)

**November 17, 2015 8:30 AM Motion for Summary
Judgment**

HEARD BY: Cadish, Elissa F.

COURTROOM: RJC Courtroom 15B

COURT CLERK: Keri Cromer

RECORDER: Jessica Kirkpatrick

REPORTER:

PARTIES

PRESENT: Bohn, Michael F Attorney
 Brooks, Michael R. Attorney

JOURNAL ENTRIES

- Arguments by counsel regarding the merits of the motion. Court stated its findings and ORDERED, Motion DENIED; Countermotion GRANTED. Court directed Mr. Brooks to prepare the proposed order; Mr. Bohn to review as to form and content.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

MICHAEL F. BOHN, ESQ.
376 E. WARM SPRINGS RD., STE. 140
LAS VEGAS, NV 89119

DATE: December 15, 2015
CASE: A690924

RE CASE: SATICOY BAY LLC SERIES 9641 CHRISTINE VIEW vs. FEDERAL NATIONAL MORTGAGE ASSOCIATION; DON MORENO; RIETA MORENO

NOTICE OF APPEAL FILED: December 11, 2015

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

****Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.**

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):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND GRANTING FEDERAL NATIONAL MORTGAGE ASSOCIATION'S COUNTERMOTION FOR SUMMARY JUDGMENT; NOTICE OF ENTRY OF ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND GRANTING FEDERAL NATIONAL MORTGAGE ASSOCIATION'S COUNTERMOTION FOR SUMMARY JUDGMENT; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

SATICOY BAY LLC SERIES 9641
CHRISTINE VIEW,

Plaintiff(s),

vs.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION; DON MORENO; RIETA
MORENO,

Defendant(s),

Case No: A690924

Dept No: VI

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 15 day of December 2015.

Steven D. Grierson, Clerk of the Court

Mary Kielty

Mary Kielty, Deputy Clerk