

**IN THE SUPREME COURT
OF THE STATE OF NEVADA**

Case No.: 70786
District Court Case No.: A-16-733762-C

Electronically Filed
Jul 29 2016 02:36 p.m.
~~Tracie K. Lindeman~~
Clerk of Supreme Court

AMY FACKLAM,

Appellant,

vs.

HSBC BANK USA, National Association, as TRUSTEE for DEUTSCHE ALT-
A SECURITIES MORTGAGE LOAN TRUST, MORTGAGE PASS-THROUGH
CERTIFICATES SERIES 2007-AR2

Respondent.

**RESPONDENT'S OBJECTION TO APPELLANT'S NOTICE OF NON-
OPPOSITION RE MOTION FOR INJUNCTIVE RELIEF**

Respectfully submitted by,

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NATIONAL ASSOCIATION, AS TRUSTEE FOR
DEUTSCHE ALT-A SECURITIES MORTGAGE
LOAN TRUST, MORTGAGE PASS-THROUGH
CERTIFICATES SERIES 2007-AR2

Respondent was surprised to receive the electronic service on July 29, 2016 of “Appellant’s Notice of Non-Opposition of Appellant’s Motion for Injunctive Relief,” [Doc 16-23688]. Appellant’s Notice refers to a “Motion for Injunctive Relief” filed on July 14, 2016.

Respondent did not receive any electronic or mail service of a “Motion for Injunctive Relief.” The ‘Motion’ received by electronic service on July 14, 2016 was a 3-page document entitled “Appellant’s Request for Order Allowing the Filing of an Overlength Motion,” [Doc 16-23688]. No “Motion for Injunctive Relief” was attached to the Request as received. A complete copy of Appellant’s Request received by electronic service on July 14, 2016 is attached hereto as Exhibit “1”. A review of the electronic services received to date in this appeal does not reflect a “Motion for Injunctive Relief.” A review of the Court Docket does not specifically indicate a “Motion for Injunctive Relief” filed by Appellant. A copy of the Court’s Docket printed as of July 29, 2016 is attached as Exhibit “2.”

Respondent requests whatever disposition the Court deems just under these circumstances.

DATED: July 29, 2016

HOUSER & ALLISON

A Professional Corporation

/s/ Jeffrey S. Allison

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Attorneys for Respondent HSBC BANK
USA, NATIONAL ASSOCIATION, AS
TRUSTEE FOR DEUTSCHE ALT-A
SECURITIES MORTGAGE LOAN
TRUST, MORTGAGE PASS-THROUGH
CERTIFICATES SERIES 2007-AR2

Jeffrey S. Allison

From: efilings@nvcourts.nv.gov
Sent: Thursday, July 14, 2016 2:30 PM
To: Jeffrey S. Allison
Subject: Notification of Electronic Filing in FACKLAM VS. HSBC BANK USA, No. 70786

Supreme Court of Nevada

NOTICE OF ELECTRONIC FILING

Notice is given of the following activity:

Date and Time of Notice: Jul 14 2016 02:29 p.m.

Case Title: FACKLAM VS. HSBC BANK USA
Docket Number: 70786
Case Category: Civil Appeal

Document Category: Motion for Excess Pages
Submitted by: Jacob Louis Hafter
Official File Stamp: Jul 14 2016 02:27 p.m.
Filing Status: Accepted and Filed

Docket Text: Filed Motion for Excess Pages Appellant's Request for Order Allowing the Filing of an Overlength Motion

The Clerk's Office has filed this document. It is now available on the Nevada Supreme Court's E-Filing website. Click [here](#) to log in to Eflex and view the document.

Electronic service of this document is complete at the time of transmission of this notice. The time to respond to the document, if required, is computed from the date and time of this notice. Refer to NEFR 9(f) for further details.

Clerk's Office has electronically mailed notice to:

Jacob Hafter
Jeffrey Allison

No notice was electronically mailed to those listed below; counsel filing the

document must serve a copy of the document on the following:

Mark Hutchings

This notice was automatically generated by the electronic filing system. If you have any questions, contact the Nevada Supreme Court Clerk's Office at 775-684-1600 or 702-486-9300.

**IN THE SUPREME COURT
OF THE STATE OF NEVADA**

Case Number: 70786
District Court Case Number: A-16-733762-C

Electronically Filed
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AMY FACKLAM,

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vs.

**HSBC BANK USA, National Association, as TRUSTEE for DEUTCHE
ALT-A SECURITIES MORTGAGE LOAN TRUST, MORTGAGE
PASS-THROUGH CERTIFICATES SERIES 2007-AR2,**

Respondent.

**APPELLANT'S REQUEST FOR
ORDER ALLOWING THE FILING OF AN
OVERLENGTH MOTION**

***** RELIEF NEEDED BY AUGUST 16, 2016 *****

Respectfully Submitted by,

HAFTERLAW

Jacob L. Hafter, Esq. (NV 9303)

6851 W. Charleston Boulevard

Las Vegas, Nevada 89117

Telephone: 702-405-6700

jhafter@hafterlaw.com

Counsel for Appellant

July 14, 2016

EXHIBIT 1

1 COMES NOW, Appellant **AMY FACKLAM**, by and through her
2 counsel of record, Jacob L. Hafter, Esq., of the law firm **HAFTERLAW**, and
3 hereby requests leave to file a Motion in excess of 10 pages.

4 Appellant's Motion currently exceeds the 10 page limit sets forth in
5 NRAP 27. Accordingly, because Appellant's Motion requires Appellant to
6 address the merits of the underlying case, and the very nature of such a
7 question of first impression, Appellant hereby requests permission to file a
8 Motion consisting of 13 pages so that Appellant may address all of the issues
9 necessary.

10 The Motion is being filed concomitantly herewith.

11 DATED THIS 14TH day of April, 2016.

12 **HAFTERLAW**

13 By: _____

14 Jacob L. Hafter, Esq.
15 Nevada Bar Number 9303
16 6851 W. Charleston Blvd
17 Las Vegas, Nevada 89117
Telephone: 702-405-6700
jhafter@hafterlaw.com
Counsel for Appellant

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REQUEST TO FILE OVERLENGTH MOTION - 2
EXHIBIT 1
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The Supreme Court
of Nevada

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Disclaimer: The information and documents available here should not be relied upon as an official record of action.

Only filed documents can be viewed. Some documents received in a case may not be available for viewing.

Some documents originating from a lower court, including records and appendices, may not be available for viewing.

For official records, please contact the Clerk of the Supreme Court of Nevada at (775) 684-1600.

Case Information: 70786

Short Caption:	FAKLAM VS. HSBC BANK USA	Classification:	Civil Appeal - General - Other
Lower Court Case(s):	Clark Co. - Eighth Judicial District - A733762	Case Status:	Briefing Reinstated
Disqualifications:		Panel Assigned:	Panel
Replacement:			
To SP/Judge:		SP Status:	Exempt
Oral Argument:		Oral Argument Location:	
Submission Date:		How Submitted:	

+ Party Information**+ Due Items****Docket Entries**

Date	Type	Description	Pending?	Document
07/14/2016	Filing Fee	Filing fee due for Appeal.		
07/14/2016	Notice of Appeal Documents	Filed Notice of Appeal. Appeal docketed in the Supreme Court this day.		16-21967
07/14/2016	Notice/Outgoing	Issued Notice to Pay Supreme Court Filing Fee. No action will be taken on this matter until filing fee is paid. Due Date: 10 days.		16-21969
07/14/2016	Filing Fee	E-Payment \$250.00 from Jacob L. Hafter		
07/14/2016	Motion	Filed Appellant's Request for Order Allowing the Filing of an Overlength Motion (Appellant's Motion for Injunctive Relief Pursuant to NRAP 8(2) - Relief Needed by August 16, 2016).	Y	16-22023
07/14/2016	Notice/Outgoing	Issued Notice of Referral to Settlement Program. This appeal may be assigned to the settlement program. Timelines for requesting transcripts and filing briefs are stayed. Docketing Statement mailed to counsel for appellant - due: 20 days.		16-22037
07/18/2016	Settlement Notice	Issued Notice: Exemption from Settlement Program. It has been determined that this appeal will not be assigned to the settlement program. Appellant(s) 15 days transcript request form; 120 days opening brief.		16-22278
07/19/2016	Transcript Request	Filed Request for Transcript of Proceedings. Transcripts requested: 6/7/16. To Court Reporter: Jessica Kirkpatrick.		16-22438
07/29/2016	Notice/Incoming	Filed Appellant's Notice of Non-Opposition to Appellant's Motion for Injunctive Relief. Relief Needed by August 16, 2016.	Y	16-23688

CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on the 29th day of July, 2016. Electronic service of the foregoing **RESPONDENT'S OBJECTION TO APPELLANT'S NOTICE OF NON-OPPOSITION RE MOTION FOR INJUNCTIVE RELIEF** shall be made as follows:

D. Brian Boggess, Esq.
BOGGESS & HARKER
7495 West Azure Drive, Suite 250
Las Vegas, NV 89130
bboggess@boggesslawgroup.com

s/ Courtney Hershey _____
An Employee of Houser & Allison