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Elizabeth A. Brown
Clerk of Supreme Court

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Attorneys for Plaintiffs, except for Antoinette Gill

DISTRICT COURT

CLARK COUNTY, NEVADA

JEFFREY BENKO, a Nevada resident;
CAMILO MARTINEZ, a California
resident; ANA MARTINEZ, a California
resident; FRANK SCINTA, a Nevada
resident; JACQUELINE SCINTA, a
Nevada resident; SUSAN HJORTH, a
Nevada resident; RAYMOND
SANSOTA, a Ohio resident; FRANCINE
SANSOTA, a Ohio resident; SANDRA
KUHN, a Nevada resident; JESUS
GOMEZ, a Nevada resident; SILVIA
GOMEZ, a Nevada resident; DONNA
HERRERA, a Nevada resident;
ANTOINETTE GILL, a Nevada resident;
JESSE HENNIGAN, a Nevada resident;
KIM MOORE, a Nevada resident;
THOMAS MOORE, a Nevada resident;
SUSAN KALLEN, a Nevada resident;
ROBERT MANDARICH, a Nevada
resident, JAMES NICO, a Nevada resident
and PATRICIA TAGLIAMONTE, a
Nevada resident

Plaintiffs,

v.

CASE NO: A-11-649857-C

Dept. 19

**PLAINTIFFS' NOTICE OF
APPEAL OF COURT'S ORDER OF
JUNE 7, 2017**

Jury Trial Demanded

1 QUALITY LOAN SERVICE
2 CORPORATION, a California
3 Corporation; MTC FINANCIAL, INC.
4 dba TRUSTEE CORPS, a California
5 Corporation; MERIDIAN
6 FORECLOSURE SERVICE, a California
7 and Nevada Corporation dba MTDS, Inc.,
8 dba MERIDIAN TRUST DEED
9 SERVICE; NATIONAL DEFAULT
10 SERVICING CORPORATION, a Arizona
11 Corporation; CALIFORNIA
12 RECONVEYANCE COMPANY, a
13 California Corporation; and DOES 1
14 through 100, inclusive,

15 Defendants.

16 Notice is hereby given that Jeffrey Benko, Camilo Martinez, Ana Martinez,
17 Frank Scinta, Jacqueline Scinta, Susan Hjorth, Raymond Sansota, Francine Sansota,
18 Sandra Kuhn, Jesus Gomez, Silvia Gomez, Donna Herrera, Jesse Hennigan, Susan
19 Kallen, Robert Mandarich, James Nico, Patricia Tagliamonte, and Bijan Laghaei,
20 Plaintiffs herein, hereby appeal to the Supreme Court of Nevada from the Court's
21 Order and final judgment dismissing this case as a matter of law, entered in this
22 action on the seventh day of June, 2017.

23 DATED: July 5, 2017

24 LAW OFFICE OF NICHOLAS A. BOYLAN,
25 APC

26 By: /s/ Nicholas A. Boylan
27 Nicholas A. Boylan, Esq.
28 Shawn Christopher, Esq.

Attorneys for Plaintiffs, except Antoinette Gill

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Law Office of Nicholas A. Boylan, APC, and that on July 5, 2017, I served a true and correct copy of the foregoing:

- **PLAINTIFFS' NOTICE OF APPEAL OF COURT'S ORDER OF JUNE 7, 2017**

via E-Service and/or by placing an original or true copy thereof in a sealed envelope, with sufficient postage affixed thereto, in the United States mail in San Diego, California addressed to:

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dba Meridian Trust Deed Service
9999 Amber Field Street
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(949) 697-8944 (Served via U.S. Mail only)

/s/ Marina Vaisman
An Employee of Nicholas A. Boylan

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C

Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

§
§
§
§
§

Location: **Department 19**
Judicial Officer: **Kephart, William D.**
Filed on: **10/12/2011**
Case Number History:
Cross-Reference Case Number: **A649857**

CASE INFORMATION

Statistical Closures

02/13/2012 Transferred (before trial)

Case Type: **Other Civil Filing**
Subtype: **Other Civil Matters**

Case Flags: **Appealed to Supreme Court**
Jury Demand Filed
Automatically Exempt from Arbitration
Discovery Heard by Commissioner Bulla
Per 10/26/16, Minute Order issued by Judge Gonzalez

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	A-11-649857-C
Court	Department 19
Date Assigned	10/26/2016
Judicial Officer	Kephart, William D.

PARTY INFORMATION

Plaintiff

Benko, Jeffrey

Boylan, Nicholas A.
Retained
6196966344(W)

Gill, Antoinette

Removed: 06/07/2017
Dismissed

Gomez, Jesus

Removed: 06/07/2017
Dismissed

Gomez, Silvia

Removed: 06/07/2017
Dismissed

Hennigan, Jesse

Removed: 06/07/2017
Dismissed

Herrera, Donna

Removed: 06/07/2017
Dismissed

Hjorth, Susan

Removed: 06/07/2017
Dismissed

Kallen, Susan

Removed: 06/07/2017
Dismissed

Kuhn, Sandra

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Removed: 06/07/2017
Dismissed

Laghaei, Bijan

Removed: 06/07/2017
Dismissed

Mandarich, Robert

Removed: 06/07/2017
Dismissed

Martinez, Ana

Removed: 06/07/2017
Dismissed

Martinez, Camilo

Removed: 06/07/2017
Dismissed

Moore, Kim

Removed: 12/01/2016
Dismissed

Moore, Kim

Removed: 03/15/2017
Data Entry Error

Boylan, Nicholas A.
Retained
6196966344(W)

Moore, Thomas

Removed: 12/01/2016
Dismissed

Moore, Thomas

Removed: 03/15/2017
Data Entry Error

Nico, James

Removed: 06/07/2017
Dismissed

Sansota, Francine

Removed: 06/07/2017
Dismissed

Sansota, Raymond

Removed: 06/07/2017
Dismissed

Scinta, Frank

Removed: 06/07/2017
Dismissed

Scinta, Jacqueline

Removed: 06/07/2017
Dismissed

Tagliamonte, Patricia

Removed: 06/07/2017
Dismissed

Defendant

Appleton Properties LLC

Removed: 03/15/2017
Inactive

California Reconveyance Company

Brown, Kathryn E.
Retained
602-364-7080(W)

Meridian Foreclosure Service

Removed: 06/08/2017
Dismissed

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MTC Financial Inc

Removed: 06/08/2017
Dismissed

National Default Servicing Corporation

Removed: 06/08/2017
Dismissed

National Default Servicing Corporation















Quality Loan Service Corporation

Beckom, Thomas N.

Retained
702-685-0329(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
10/12/2011	 Complaint Filed By: Plaintiff Benko, Jeffrey <i>Complaint for Damages</i>	
10/12/2011	Case Opened	
10/13/2011	 Lis Pendens Filed By: Plaintiff Benko, Jeffrey <i>Notice of Pendency of Action</i>	
12/19/2011	 Amended Complaint Filed By: Plaintiff Benko, Jeffrey <i>First Amended Complaint for Damages</i>	
01/19/2012	 Amended Summons Filed By: Plaintiff Benko, Jeffrey <i>Summons on First Amended Complaint</i>	
02/02/2012	 Summons Filed by: Plaintiff Benko, Jeffrey <i>Summons on First Amended Complaint</i>	
02/03/2012	 Summons Filed by: Plaintiff Benko, Jeffrey <i>Summons of First Amended Complaint</i>	
02/03/2012	 Summons Filed by: Plaintiff Benko, Jeffrey <i>Summons on First Amended Complaint</i>	
02/03/2012	 Summons Filed by: Plaintiff Benko, Jeffrey <i>Summons on First Amended Complaint</i>	
02/03/2012	 Summons Filed by: Plaintiff Benko, Jeffrey <i>Summons on First Amended Complaint</i>	
02/13/2012	 Removal to Federal Court Filed by: Defendant Meridian Foreclosure Service <i>Notice of Removal to Federal Court</i>	

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02/14/2012	 Amended Certificate of Service Party: Defendant Meridian Foreclosure Service <i>Amended Certificate of Service</i>
02/14/2012	 Notice of Removal Filed By: Defendant MTC Financial Inc <i>Notice of Removal to Federal Court Class Action</i>
10/26/2015	 Order of Remand from Federal Court
10/26/2015	 Order <i>Order</i>
11/03/2015	 Order Scheduling Status Check <i>Order Scheduling Status Check</i>
11/03/2015	 Notice of Appearance Party: Defendant California Reconveyance Company <i>Notice of Appearance</i>
11/04/2015	 Initial Appearance Fee Disclosure Filed By: Defendant California Reconveyance Company <i>Initial Appearance Fee Disclosure (NRS Chp. 19)</i>
11/13/2015	 Motion to Associate Counsel Filed By: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Motion to Associate Counsel</i>
11/13/2015	 Notice of Association of Counsel Filed By: Defendant Quality Loan Service Corporation <i>Notice of Association of Counsel</i>
11/13/2015	 Initial Appearance Fee Disclosure Filed By: Defendant Quality Loan Service Corporation <i>Initial Appearance Fee Disclosure</i>
11/16/2015	 Status Check (9:30 AM) (Judicial Officer: Scann, Susan) <i>Status Check</i>
11/25/2015	 Amended Complaint Filed By: Plaintiff Kallen, Susan <i>Second Amended Complaint of Plaintiffs Jeffrey Benko, Camilo Martinez, Ana Martinez, Frank Scinta, Jacqueline Scinta, Susan Hjorth, Raymond Sansota, Francine Sansota, Sandra Kuhn, Jesus Gomez, Silvia Gomez, Donna Herrera, Jesse Hennigan, Kim Moore, Thomas Moore, Susan Kallen, Robert Mandarich and James Nico Class Actions</i>
11/30/2015	 Initial Appearance Fee Disclosure Filed By: Plaintiff Kallen, Susan <i>Initial Appearance Fee Disclosure</i>
12/01/2015	 Motion to Associate Counsel Filed By: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Second Motion to Associate Counsel</i>

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12/03/2015	 Notice of Entry of Order Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Order Regarding Status Check Hearing</i>
12/03/2015	 Order Filed By: Defendant California Reconveyance Company <i>Order Regarding Status Check Hearing</i>
12/11/2015	 Request Filed by: Defendant Appleton Properties LLC <i>Appleton Properties LLC's Request for Removal from Notices and Filings in this Case</i>
12/17/2015	 Substitution of Attorney Filed by: Defendant MTC Financial Inc <i>Substitution of Local Counsel</i>
12/18/2015	 Motion to Dismiss Filed By: Defendant California Reconveyance Company <i>Defendants' Joint Motion to Dismiss Plaintiffs' Second Amended Complaint</i>
12/18/2015	 Joinder Filed By: Defendant MTC Financial Inc <i>Defendant Mtc Financial Inc Db a Trustee Corps Joinder In Defendants Joint Motion To Dismiss Plaintiffs Second Amended Complaint Supplemental Memorandum Of Point And Authorities In Support Thereof</i>
12/18/2015	 Request for Judicial Notice Filed By: Defendant MTC Financial Inc <i>Defendant Mtc Financial Inc Db a Trustee Corps' Request For Judicial Notice In Support Of Joinder In And To The Following: Defendants' Joint Motion To Dismiss Plaintiffs' Second Amended Complaint</i>
12/18/2015	 Initial Appearance Fee Disclosure Filed By: Defendant MTC Financial Inc <i>Initial Appearance Fee Disclosure</i>
01/06/2016	Motion to Associate Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant California Reconveyance Company's Motion to Associate Counsel</i>
01/06/2016	Motion to Associate Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant California Reconveyance Company's Second Motion to Associate Counsel</i>
01/06/2016	 All Pending Motions (3:00 AM) (Judicial Officer: Scann, Susan)
01/14/2016	 Order Admitting to Practice Filed By: Defendant California Reconveyance Company <i>Order Admitting Lawrence G. Scarborough, Jessica R. Maziarz, and Sarah B. Burwick to Practice</i>
01/18/2016	 Opposition Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Opposition to Defendants' Joint Motion to Dismiss Plaintiffs' Second Amended Complaint</i>
01/18/2016	 Opposition

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	Filed By: Plaintiff Benko, Jeffrey <i>None</i>
01/19/2016	 Notice of Entry of Order Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Order Admitting Lawrence G. Scarborough, Jessica R. Maziarz, and Sarah B. Burwick to Practice</i>
01/19/2016	 Request Filed by: Plaintiff Benko, Jeffrey <i>Plaintiffs' Unopposed Motion To Extend Length Of Plaintiffs' Opposition To Defendants' Joint Motion To Dismiss Plaintiffs' Second Amended Complaint By Ten (10) Pages Exhibit A</i>
02/05/2016	 Reply in Support Filed By: Defendant California Reconveyance Company <i>Defendants' Joint Reply in Support of Defendants' Joint Motion to Dismiss Plaintiffs' Second Amended Complaint</i>
02/05/2016	 Response Filed by: Defendant California Reconveyance Company <i>Defendants' Joint Response to Plaintiffs' Objections to Defendants' Requests for Judicial Notice in Support of Defendants' Joint Motion to Dismiss Second Amended Complaint and Plaintiffs' Request for Judicial Notice in Support of Their Opposition to Defendants' Joint Motion to Dismiss Plaintiffs' Second Amended Complaint</i>
02/05/2016	 Joinder Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc.dba Trustee Corp's Joinder in and to following: Defendants' Joint Reply in Support of Defendants Joint Motion to Dismiss Plaintiff;s Second Amended Complaint ; Supplemental Memorandum of Point and Authorities in Support thereof</i>
02/22/2016	Motion to Dismiss (10:00 AM) (Judicial Officer: Scann, Susan) <i>Defendants Motion to Dismiss</i>
02/22/2016	Joinder (10:00 AM) (Judicial Officer: Scann, Susan) <i>Defendant Mtc Financial Inc Dba Trustee Corps Joinder In Defendants Joint Motion To Dismiss Plaintiffs Second Amended Complaint Supplemental Memorandum Of Point And Authorities In Support Thereof</i>
02/22/2016	 All Pending Motions (10:00 AM) (Judicial Officer: Scann, Susan)
03/01/2016	 Transcript of Proceedings <i>Transcript Re: Defendants' Joint Motion To Dismiss Plaintiffs' Second Amended Complaint Defendant Mtc Financial, Inc. Dba Trustee Corps. Joinder In Defendants' Joint Motion To Dismiss Plaintiffs' Second Amended Complaint; Supplemental Memorandum Of Points And Authorities In Support Thereof, February 22, 2016</i>
03/15/2016	 Answer to Complaint Filed by: Defendant Quality Loan Service Corporation <i>Quality Loan Service Corporation's Answer to Complaint</i>
03/22/2016	 Order Granting Filed By: Defendant Appleton Properties LLC <i>Order Granting Appleton Properties, LLC's Request for Removal</i>
03/29/2016	 Answer to Amended Complaint Filed By: Defendant MTC Financial Inc











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MTC FINANCIAL INC. dba TRUSTEE CORPS' ANSWER TO SECOND AMENDED COMPLAINT

04/08/2016	 Demand for Jury Trial Filed By: Plaintiff Benko, Jeffrey <i>Demand for Jury Trial</i>
04/22/2016	 Disclosure of Documents and Witnesses Pursuant to NRCP 16.1 Filed By: Plaintiff Benko, Jeffrey <i>Early Case Conference Disclosure of Witnesses and Documents of Plaintiffs (except Antoinette Gill)</i>
05/09/2016	 Joint Case Conference Report Filed By: Defendant California Reconveyance Company <i>Defendants' Joint Case Conference</i>
05/10/2016	 Errata Filed By: Defendant California Reconveyance Company <i>Errata to Defendants' Joint Case Conference Report</i>
05/17/2016	 Notice of Firm Name Change Filed By: Defendant MTC Financial Inc <i>Notice of Firm Change and Change of Address</i>
05/25/2016	 Motion to Associate Counsel Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee Corps' Motion to Associate Counsel</i>
05/31/2016	 Case Conference Report Filed By: Plaintiff Benko, Jeffrey <i>Plaintiff's Case Conference Report: Exhibits</i>
06/10/2016	 Notice to Appear for Discovery Conference <i>Notice to Appear for Discovery Conference</i>
06/13/2016	 Stipulation Filed by: Defendant California Reconveyance Company <i>Stipulated (1) Briefing Schedule Regarding Discovery Motions; and (2) Stay of Depositions</i>
06/14/2016	 Motion for Summary Judgment Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee Corps' Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota</i>
06/14/2016	 Request for Judicial Notice Filed By: Defendant MTC Financial Inc <i>Request for Judicial Notice in Support of Defendant MTC Financial Inc. dba Trustee Corps' Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota</i>
06/14/2016	 Declaration Filed By: Defendant MTC Financial Inc <i>Declaration of Rande Johnsen in Support of Defendant MTC Financial Inc dba Trustee Corps' Motion for Summary Judgment or in the Alternative Partial Summary Judgment Against</i>

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Plaintiffs Raymond Sansota and Francine Sansota

06/15/2016	 Motion for Protective Order Filed By: Defendant California Reconveyance Company <i>Defendants' Joint Motion for Protective Order Vacating Plaintiffs' Notices of Depositions of Defendants' Person or Persons Most Knowledgeable</i>
06/15/2016	 Motion to Bifurcate Filed By: Defendant California Reconveyance Company <i>Defendants' Joint Motion to Bifurcate and Limit Discovery to Named Plaintiffs in Initial Phase of Discovery</i>
06/17/2016	 Certificate of Service Filed by: Defendant California Reconveyance Company <i>Certificate of Service by Mail of Defendants' Joint Motion to Bifurcate and Limit Discovery to Named Plaintiffs in Initial Phase of Discovery</i>
06/17/2016	 Certificate of Service Filed by: Defendant California Reconveyance Company <i>Certificate of Service by Mail of Defendants' Joint Motion for Protective Order Vacating Plaintiffs' Notices of Depositions of Defendants' Person or Persons Most Knowledgeable</i>
06/20/2016	 Motion Filed By: Defendant MTC Financial Inc <i>Defendant, MTC Financial Inc. dba Trustee Corps' Motion to Bifurcate and Limit Discovery to Named Plaintiffs in Initial Phase of Discovery; and Joinder to Defendants' Joint Motion to Bifurcate and Limit Discovery to Named Plaintiffs in the Initial Phase of Discovery</i>
06/21/2016	 Motion to Withdraw As Counsel Filed By: Defendant Meridian Foreclosure Service <i>Motion to Withdraw as Attorney of Record</i>
06/21/2016	 Motion for Protective Order Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee Corps' Motion for Protective Order Vacating and Limited Plaintiffs' Notices of Deposition and Joinder to Defendants' Joint Motion for Protective Order Vacating Plaintiffs' Notices of Depositions of Defendants' Person or Persons Most Knowledgeable</i>
06/29/2016	CANCELED Motion to Associate Counsel (3:00 AM) (Judicial Officer: Scann, Susan) <i>Vacated - per Law Clerk</i> <i>Defendant MTC Financial Inc. dba Trustee Corps' Motion to Associate Counsel</i>
07/01/2016	 Opposition Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Opposition to MTC and Other Defendants' Joint Motion to Bifurcate and Limit Discovery to Named Plaintiffs in Initial Phase of Discovery</i>
07/01/2016	 Opposition Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Opposition to All Defendants' Motions for Protective Order Vacating and Limiting Plaintiffs' Notices of Depositions</i>
07/06/2016	 Notice of Entry of Order Filed By: Plaintiff Benko, Jeffrey <i>Notice of Entry of Order Granting Appleton Properties LLC's Request for Removal</i>

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07/08/2016	 Order Admitting to Practice Filed By: Defendant MTC Financial Inc <i>Order Admitting Allan E. Ceran to Practice</i>
07/11/2016	 Notice of Rescheduling <i>Notice of Rescheduling Hearing</i>
07/12/2016	 Reply in Support Filed By: Defendant California Reconveyance Company <i>Reply in Support of Defendants' Joint Motion to Bifurcate and Limit Discovery to Named Plaintiffs in Initial Phase of Discovery</i>
07/12/2016	 Reply in Support Filed By: Defendant California Reconveyance Company <i>Reply in Support of Defendants' Joint Motion for Protective Order Vacating Plaintiffs' Notices of Depositions of Defendants' Person or Persons Most Knowledgeable</i>
07/13/2016	 Objection Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee Corp's Evidentiary Objections to Declaration of Bijan Lagahei in Support of its Motion for Protective Order Vacating and Limiting Plaintiffs' Notices of Deposition</i>
07/13/2016	 Objection Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee Corps' Evidentiary Objections to Declaration of Bijan Lagahei in Support of its Motion to Bifurcate and Limit Discovery to Named Plaintiffs Raymond Sansota and Francine Sansota in the Initial Phase of Discovery</i>
07/13/2016	 Objection Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee Corps' Evidentiary Objections to Declaration of Liam F. Vavasour in Support of its Motion to Bifurcate and Limit Discovery to named Plaintiffs Raymond Sansota and Francine Sansota in the Initial phase of Discovery</i>
07/13/2016	 Objection Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee Corp's Evidentiary Objections to Declaration of Liam F. Vavasour in Support of its Motion for Protective Order Vacating and Limiting Plaintiffs' Notices of Deposition</i>
07/13/2016	 Reply in Support Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee corp's Reply Memorandum in Support of Motion for protective order Vacating and Limiting Plaintiffs' Notice of Deposition</i>
07/13/2016	 Reply in Support Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee Corp's Reply Memorandum in Support of Motion to Bifurcate and limit discovery to named Plaintiffs Raymond Sansota and Francine Sansota in initial phase of Discovery</i>
07/15/2016	 Objection Filed By: Defendant MTC Financial Inc <i>Objection to Second Amended Notice of Taking Deposition</i>

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07/15/2016	 Order Shortening Time Filed By: Defendant MTC Financial Inc <i>Order Shortening Time</i>
07/15/2016	 Affidavit Filed By: Plaintiff Benko, Jeffrey <i>Supplemental Declaration of Nicholas A Boylan in Support of Plaintiffs Opposition to Defendants' Joint Motion to Limit Discovery to Named Plaintiffs' in Initial Phase of Discovery and to Defendants' Motions to Vacate Deposition Notices</i>
07/20/2016	Discovery Conference (9:00 AM) (Judicial Officer: Bulla, Bonnie)
07/20/2016	Motion to Bifurcate (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Defts' Joint Motion to Bifurcate and Limit Discovery to Named Plaintiffs in Initial Phase of Discovery</i>
07/20/2016	Motion for Protective Order (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Defts' Joint Motion for Protective Order Vacating Plaintiffs' Notices of Depositions of Defts' Person or Persons Most Knowledgeable</i>
07/20/2016	Motion to Bifurcate (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Deft, MTC Financial Inc. dba Trustee Corps' Motion to Bifurcate and Limit Discovery to Named Plaintiffs in Initial Phase of Discovery; and Joinder to Defts' Joint Motion to Bifurcate and Limit Discovery to Named Plaintiffs in the Initial Phase of Discovery</i>
07/20/2016	Motion for Protective Order (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Deft MTC Financial Inc. dba Trustee Corps' Motion for Protective Order Vacating and Limited Plaintiffs' Notices of Deposition and Joinder to Defts' Joint Motion for Protective Order Vacating Plaintiffs' Notices of Depositions of Defts' Person or Persons Most Knowledgeable</i>
07/20/2016	 All Pending Motions (9:00 AM) (Judicial Officer: Bulla, Bonnie)
07/25/2016	 Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Motion to Amend Complaint To Add A Plaintiff</i>
07/25/2016	 Recorders Transcript of Hearing <i>Recorder's Transcript Re: All Pending Motions/Discovery Conference - heard on July 20, 2016</i>
07/26/2016	 Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiff's Motion to Amend Complaint to add a Plaintiff - Notice of Motion</i>
07/27/2016	 Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Ames, Jack B.) <i>Motion to Withdraw as Attorney of Record</i>
08/04/2016	 Motion to Compel Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Notice Of Motion To Compel And For Sanctions Against Defendant Mtc (Written Discovery)</i>
08/04/2016	 Motion to Compel Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Notice Of Motion To Compel And For Sanctions Against Defendant Mtc (Depositions)</i>

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08/04/2016	 Motion to Compel Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Motion To Compel And For Sanctions Against Defendant Mtc (Nrcp 16.1)</i>
08/09/2016	 Motion to Compel Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Motion To Compel And For Sanctions Against Defendant Ndsc (Depositions, Written Discovery, Nrcp 16.1 Disclosures)</i>
08/11/2016	 Opposition to Motion Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee Corps' Opposition to Plaintiffs' Motion to Amend Complaint to Add a Plaintiff</i>
08/11/2016	 Declaration Filed By: Defendant MTC Financial Inc <i>Declaration of Keiko Kojima in Support of Defendant MTC Financial Inc. dba Trustee Corps' Opposition to Plaintiffs Motion to Amend Complaint to Add a Plaintiff</i>
08/11/2016	 Request for Judicial Notice Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. dba Trustee Corps' Request for Judicial Notice in Support of Opposition to Plaintiffs' Motion to Amend Complaint to Add a Plaintiff</i>
08/16/2016	 Affidavit Filed By: Plaintiff Benko, Jeffrey <i>Declaration of Nicholas A. Boylan in Support of Plaintiffs' 1. Plaintiff's Motion to Compel and fro Sanctions against Defendant MTC (NRCP 16.1 Disclosures) 2. Plaintiff's Motion to Compel and for Sanctions against Defendant MTC (Depositions) 3. Plaintiff's motion to Compel; and for Sanctions against Defendant MTC (Written Discovery)</i>
08/17/2016	 Motion Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Motion to Compel and Sanctions Against Defendant QLS (Depositions)</i>
08/17/2016	 Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Motion to Compel for Sanctions Against Defendant QLS (Written Discovery)</i>
08/17/2016	 Re-Notice Filed by: Plaintiff Benko, Jeffrey <i>Re-Notice of Plaintiffs' Motion to Compel and for Sanctions Against Defendant NDSC (Depositions, Written Discovery, NRCP 16.1 Disclosures)</i>
08/17/2016	 Re-Notice <i>Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant Mtc (Written Discovery)</i>
08/17/2016	 Re-Notice Filed by: Plaintiff Benko, Jeffrey <i>Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant Mtc (Depositions)</i>
08/17/2016	 Re-Notice

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C

Filed by: Plaintiff Benko, Jeffrey
Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant Mtc (Nrcp 16.1 Disclosures)

08/18/2016



Memorandum

Filed By: Defendant MTC Financial Inc
Defendant MTC Financial Inc. dba Trustee Corps' Memorandum in Opposition to Motion to Compel Further Responses to Written Discovery; Declaration of Allan E. Ceran in Support thereof

08/18/2016



Memorandum

Filed By: Defendant MTC Financial Inc
Defendant MTC Financial Inc. dba Trustee Corps' Memorandum in Opposition to Motion to Compel Depositions and Counter-Motion for Appointment of Discovery Referee; Declaration of Allan E. Ceran in support thereof.

08/18/2016



Memorandum

Filed By: Defendant MTC Financial Inc
Review and analyze Defendant MTC Financial Inc. dba Trustee Corps' Memorandum in Opposition to Motion to Complete Further Rule 16.1 Disclosures; Declaration of Allan Ceran in support thereof. Execute and file the same.

08/18/2016



Order Granting Motion

Filed By: Defendant Meridian Foreclosure Service
Order Granting Motion to Withdraw as Attorney of Record

08/18/2016



Motion to Compel

Filed By: Plaintiff Benko, Jeffrey
Plaintiffs' Motion to Compel and for Sanctions Against Defendant MTC ((NRCP 16.1 Disclosures)

08/18/2016



Notice

Filed By: Plaintiff Benko, Jeffrey
Plaintiffs' Notice of Motion to Compel and for Sanctions Against Defendants QLS (NRCP 16.1 Disclosures)

08/22/2016



Scheduling Order

Scheduling Order

08/26/2016



Opposition to Motion in Limine

Filed By: Defendant National Default Servicing Corporation
National Default Servicing Corporation's Opposition to Plaintiff's Motion to Compel and for Sanctions against Defendant NDSC (Depositions, Written Discovery, NRCP 16.1 Disclosures)

08/26/2016

CANCELED Status Check: Compliance (11:00 AM) (Judicial Officer: Bulla, Bonnie)
Vacated - per Commissioner

08/31/2016



Opposition to Motion

Filed By: Defendant Quality Loan Service Corporation
Quality Loan Service Corporation's Opposition to Motion to Compel Depositions and Declaration of Kristin Schuler-Hintz in Support Thereof

08/31/2016



Opposition to Motion

Filed By: Defendant Quality Loan Service Corporation
Quality Loan Service Corporation's Opposition to Motion to Compel Further Rule 16.1 Disclosures and Declaration of Kristin Schuler-Hintz in Support Thereof

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C








08/31/2016	 Opposition to Motion Filed By: Defendant Quality Loan Service Corporation <i>Quality Loan Service Corporation's Opposition to Motion to Compel Further Responses to Written Discovery and Declaration of Kristin Schuler-Hintz in Support Thereof</i>
09/06/2016	 Motion to Quash Filed By: Defendant MTC Financial Inc <i>Defendant Mtc Financial Inc. Db a Trustee Corps' Motion To Quash/Motion For Protective Order Re Deposition Subpoenas To Non-Parties Natalie Resendiz And Maria Diaz; Declaration Of Keiko J. Kojima</i>
09/06/2016	CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Vacated - Set in Error</i> <i>Plaintiffs' Notice Of Motion To Compel And For Sanctions Against Defendant Mtc (Written Discovery)</i>
09/06/2016	CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Vacated - Set in Error</i> <i>Plaintiffs' Notice Of Motion To Compel And For Sanctions Against Defendant Mtc (Depositions)</i>
09/06/2016	CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Vacated - Set in Error</i> <i>Plaintiffs' Motion To Compel And For Sanctions Against Defendant Mtc (Nrcp 16.1)</i>
09/12/2016	CANCELED Motion to Compel (9:30 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Vacated - Set in Error</i> <i>Plaintiffs' Motion To Compel And For Sanctions Against Defendant Ndsc (Depositions, Written Discovery, Nrcp 16.1 Disclosures)</i>
09/12/2016	 Order Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Request For Order Setting Oral Argument on Plaintiffs' Motion to Amend to Add a Plaintiff</i>
09/13/2016	 Notice of Order Filed By: Plaintiff Benko, Jeffrey <i>Notice of Entry of Order Granting Plaintiffs' Request for Order Setting Oral Argument on Plaintiffs' Motion to Amend to Add a Plaintiff</i>
09/14/2016	 Reply Filed by: Plaintiff Gill, Antoinette <i>Plaintiffs' Reply Brief Re Motion to Amend and [Proposed] Order Re Plaintiffs' Motion to Amend to Add Bijan Laghaei as a Named Plaintiff</i>
09/15/2016	 Motion to Quash Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial dba Trustee Corps' Motion to Quash/Motion for Protective Order re Subpoena to Pacific Western Bank</i>
09/15/2016	 Reply to Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Reply Re Plaintiffs' Motion to Compel and for Sanctions Against Defendant MTC (Depositions)</i>
09/15/2016	 Reply to Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Reply Re Plaintiffs' Motion to Compel and for Sanctions Against Defendant MTC</i>

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C

(Written Discovery)

09/16/2016	 Motion for Protective Order Filed By: Defendant California Reconveyance Company <i>Defendants' Joint Motion for Entry of Confidentiality Order and Motion for Order Shortening Time</i>
09/16/2016	 Reply in Support Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Reply in Support of Plaintiffs' Motion to Compel and for Sanctions Against Defendant NDSC (Depositions, Written Discovery, NRCP 16.1 Disclosures)</i>
09/16/2016	 Reply to Motion Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Reply Re Plaintiffs' Motion to Compel And For Sanctions Against Defendant MTC (NRCP 16.1)</i>
09/16/2016	 Reply in Support Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Reply Brief in Support of Plaintiffs' Motion to Compel and for Sanctions Against Defendant QLS (NRCP 16.1)</i>
09/16/2016	 Reply in Support Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Reply in Support of Plaintiffs' Motion to Compel and for Sanctions Against Defendant QLS (Written Discovery)</i>
09/16/2016	 Reply in Support Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Reply Brief in Support of Plaintiffs' Motion to Compel and for Sanctions Against Defendant QLS (Depositions)</i>
09/19/2016	 Affidavit Filed By: Plaintiff Benko, Jeffrey <i>Declaration of Nicholas A. Boylan in Opposition to Defendants' Joint Motion for Entry of Confidentiality Order</i>
09/20/2016	 Objection Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial, Inc. dba Trustee Corps' Objections to Declaration of Nicholas A. Boylan Filed in Support of Plaintiffs' Three Motions to Compel and Sanctions Against Defendant MTC</i>
09/20/2016	 Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Motion to Compel and for Sanctions Against Defendant CRC (NRCP 16.1 Disclosures)</i>
09/20/2016	 Motion Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Motion to Compel and for Sanctions Against Defendant CRC (Written Discovery)</i>
09/20/2016	 Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Motion to Extend Length of Plaintiffs' Motion to Compel and for Sanctions Against Defendant CRC (Written Discovery) by Seventeen (17) Pages</i>

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C

09/20/2016	 Notice of Motion Filed By: Plaintiff Benko, Jeffrey <i>Notice of Plaintiffs Motion to Compel and for Sanctions Against Defendant CRC (NRCP 16.1 Disclosures)</i>
09/20/2016	 Notice of Motion Filed By: Plaintiff Benko, Jeffrey <i>Notice of Plaintiffs Motion to Compel and for Sanctions Against Defendant CRC (Written Discovery)</i>
09/21/2016	Motion to Compel (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Re-Notice of Plaintiffs' Motion to Compel and for Sanctions Against Defendant NDSC (Depositions, Written Discovery, NRCP 16.1 Disclosures)</i>
09/21/2016	Motion to Compel (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant Mtc (Written Discovery)</i>
09/21/2016	Motion to Compel (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>.Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant Mtc (Depositions)</i>
09/21/2016	Motion to Compel (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant Mtc (Nrcp 16.1 Disclosures)</i>
09/21/2016	Motion to Compel (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Plaintiffs' Motion to Compel and Sanctions Against Defendant QLS (Depositions)</i>
09/21/2016	Motion to Compel (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Plaintiffs' Motion to Compel for Sanctions Against Defendant QLS (Written Discovery)</i>
09/21/2016	Motion to Compel (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Plaintiffs' Notice of Motion to Compel and for Sanctions Against Defendants QLS (NRCP 16.1 Disclosures)</i>
09/21/2016	Motion (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>Defendants' Joint Motion for Entry of Confidentiality Order and Motion for Order Shortening Time</i>
09/21/2016	 All Pending Motions (9:30 AM) (Judicial Officer: Bulla, Bonnie)
09/21/2016	 Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Motion to Extend Length of Plaintiffs' Motion to Compel and for Sanctions Against Defendant CRC (Written Discovery) by Seventeen (17) pages</i>
09/21/2016	 Motion to Amend Complaint (2:00 PM) (Judicial Officer: Bonaventure, Joseph T.) <i>Plaintiffs' Motion to Amend Complaint to Add a Plaintiff</i>
09/23/2016	 Substitution of Attorney Filed by: Defendant MTC Financial Inc <i>Substitution of Local Counsel</i>
09/23/2016	 Notice of Withdrawal of Motion Filed By: Defendant MTC Financial Inc <i>Notice of Withdrawal of Defendant MTC Financial Inc. dba Trustee Corp's Motion to</i>

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C

Quash/Motion for Protective Order Re Deposition Subpoenas to Non- Parties Natalie Resendiz and Maria Diaz

09/26/2016



Motion to Associate Counsel

Filed By: Defendant California Reconveyance Company
Defendant California Reconveyance Company's Motion to Association Counsel, and Request for Hearing on Order Shortening Time

09/27/2016



Certificate of Service

Filed by: Defendant California Reconveyance Company
Certificate of Service of Defendant California Reconveyance Company's Motion to Associate Counsel, and Request for Hearing on Order Shortening Time

09/28/2016



Answer to Amended Complaint

Filed By: Defendant California Reconveyance Company
Defendant California Reconveyance Company's Answer to Second Amended Complaint of Plaintiffs Jeffrey Benko, Camilo Martinez, Ana Martinez, Frank Scinta, Jacqueline Scinta, Susan Hjorth, Raymond Sansota, Francine Sansota, Sandra Kuhn, Jesus Gomez, Silvia Gomez, Donna Herrera, Jesse Hennigan, Kim Moore, Thomas Moore, Susan Kallen, Robert Mandarich and James Nico

10/03/2016



Recorders Transcript of Hearing

Recorder's Transcript of Proceedings - Notice of Plaintiffs' Motion to Compel and for Sanctions Against Defendant NDSC (Depositions Written Discovery, NRCP 16.1 Disclosures); Additional Matters - heard on Sept. 21, 2016

10/04/2016



Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call

Order Setting Civil Jury Trial, Pretrial Conference and Calendar Call

10/05/2016



Motion to Associate Counsel (9:00 AM) (Judicial Officer: Thompson, Charles)

10/05/2016

CANCELED Motion to Associate Counsel (9:00 AM) (Judicial Officer: Thompson, Charles)
Vacated - Duplicate Entry
Defendant California Reconveyance Company's Motion to Association Counsel, and Request for Hearing on Order Shortening Time

10/05/2016



Order Admitting to Practice

Filed By: Defendant California Reconveyance Company
Order Admitting Kathryn Emma Brown to Practice

10/06/2016



Notice of Entry of Order

Filed By: Defendant California Reconveyance Company
Notice of Entry of Order Admitting Kathryn Emma Brown to Practice

10/07/2016



Notice of Motion

Filed By: Plaintiff Benko, Jeffrey
Plaintiffs' Notice of Motion for Clarification and Entry of Order re February 2016 Hearing on Defendants' Joint NRCP 12(b)(5) Motions and Plaintiffs' Motion for Clarification and Entry of Order re February 2016 Hearing on Defendants' Joint NRCP 12(b)(5) Motions by Thirteen (13) Pages







10/07/2016













Motion

Filed By: Plaintiff Gill, Antoinette
Plaintiffs' Motion to Extend Length of Plaintiffs' Motion for Clarification and Entry of Order re February 2016 Hearing on Defendants' Joint NRCP 12(b)(5) Motions by Thirteen (13) Pages

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C

10/07/2016	 Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Motion for Clarification and Entry of Order re February 2016 Hearing on Defendants' Joint NRCP 12(b)(5) Motions</i>
10/07/2016	CANCELED Motion to Quash (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated</i> <i>Defendant Mtc Financial Inc. Db a Trustee Corps' Motion To Quash/Motion For Protective Order Re Deposition Subpoenas To Non-Parties Natalie Resendiz And Maria Diaz; Declaration Of Keiko J. Kojima</i>
10/07/2016	 Stipulation Filed by: Defendant MTC Financial Inc <i>Stipulation re Withdrawal of Defendant MTC Financial Inc. db a Trustee Corps Motion for Summary Judgment; Order Thereon</i>
10/10/2016	CANCELED Motion for Summary Judgment (9:30 AM) (Judicial Officer: Ames, Jack B.) <i>Vacated - per Stipulation and Order</i> <i>Defendant MTC Financial Inc. db a Trustee Corps' Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota</i>
10/12/2016	 Objection to Discovery Commissioners Report and Recommend Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Objections to the Report and Recommendations of the Discovery Commissioner From the Hearing of July 20, 2016</i>
10/14/2016	 Notice of Entry of Stipulation and Order Filed By: Defendant MTC Financial Inc <i>Notice of Entry of Stipulation re Withdrawal of Defendant MTC Financial Inc. db a Trustee Corps' Motion for Summary Judgment; Order Thereon</i>
10/18/2016	 Notice of Deposition Filed By: Defendant Quality Loan Service Corporation <i>Notice of Deposition Ana Martinez</i>
10/18/2016	 Notice of Deposition Filed By: Defendant Quality Loan Service Corporation <i>Notice of Deposition Camilo Martinez</i>
10/18/2016	 Notice of Deposition Filed By: Defendant Quality Loan Service Corporation <i>Notice of Deposition Susan HJorth</i>
10/18/2016	 Notice of Deposition Filed By: Defendant Quality Loan Service Corporation <i>Notice of Deposition Patricia Tagliamonte</i>
10/18/2016	 Notice of Deposition Filed By: Defendant Quality Loan Service Corporation <i>Notice of Deposition Frank Scinta</i>
10/18/2016	 Notice of Deposition Filed By: Defendant Quality Loan Service Corporation <i>Notice of Deposition Jeffrey Benko</i>

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10/18/2016	 Notice of Deposition Filed By: Defendant Quality Loan Service Corporation <i>Notice of Deposition Jacqueline Scinta</i>
10/19/2016	 Certificate of Mailing Filed By: Defendant Quality Loan Service Corporation <i>Certificate of Mailing</i>
10/19/2016	 Certificate of Mailing Filed By: Defendant Quality Loan Service Corporation <i>Certificate of Mailing</i>
10/19/2016	CANCELED Motion to Quash (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated</i> <i>Deft MTC Financial dba Trustee Corps' Motion to Quash/Motion for Protective Order re Subpoena to Pacific Western Bank</i>
10/20/2016	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
10/20/2016	 Minute Order (10:30 AM) (Judicial Officer: Bonaventure, Joseph T.) <i>Minute Order: Voluntary Recusal</i>
10/21/2016	CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated</i> <i>Notice of Plaintiffs Motion to Compel and for Sanctions Against Deft CRC (NRCP 16.1 Disclosures)</i>
10/21/2016	CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated</i> <i>Notice of Plaintiffs Motion to Compel and for Sanctions Against Deft CRC (Written Discovery)</i>
10/24/2016	 Opposition Filed By: Defendant California Reconveyance Company <i>Defendants' Joint Motion to Strike and, in the Alternative, Opposition to Plaintiffs' Motion for Clarification and Entry of Order re February 2016 Hearing on Defendants' Joint NRCP 12(B) (5) Motions</i>
10/24/2016	 Opposition Filed By: Defendant California Reconveyance Company <i>Defendants' Joint Opposition to Plaintiffs' Objections to the Report and Recommendations of the Discovery Commissioner from the Hearing of July 20, 2016</i>
10/24/2016	 Opposition Filed By: Defendant California Reconveyance Company <i>Defendants' Joint Opposition to Plaintiffs' Motion to Extend Length of Plaintiffs' Motion for Clarification and Entry of Order Re February 2016 Hearing on Defendants' Joint NRCP 12(B) (5) Motions and Defendants' Joint Motion to Strike Declarations of Nicholas A. Boylan in Support of Motion for Clarification and in Support of Plaintiffs' Objections to the Report and Recommendations of the Discovery Commissioner from the Hearing of July 20, 2016</i>
10/25/2016	 Certificate of Service Filed by: Defendant California Reconveyance Company <i>Certificate of Service</i>
10/25/2016	 Peremptory Challenge

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C

	Filed by: Plaintiff Benko, Jeffrey <i>Notice of Peremptory Challenge of Judge</i>
10/26/2016	 Notice of Department Reassignment <i>Notice of Department Reassignment</i>
10/26/2016	 Status Check (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Status Check: Phase 1 Discovery</i>
10/26/2016	 Minute Order (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)
10/27/2016	 Objection to Discovery Commissioners Report and Recommend Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Objections to the Report and Recommendations of the Discovery Commissioner from the Hearing of September 21, 2016</i>
10/28/2016	 Objection Filed By: Defendant Quality Loan Service Corporation <i>National Default Servicing Corporation's Limited Objection to Discovery Commissioner's Report and Recommendations Following September 21, 2016 Hearing</i>
11/07/2016	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings - Status Check: Phase 1 Discovery - heard on Oct. 26, 2016</i>
11/14/2016	 Discovery Commissioners Report and Recommendations Filed By: Defendant California Reconveyance Company <i>Discovery Commissioner's Report and Recommendations</i>
11/14/2016	 Discovery Commissioners Report and Recommendations Filed By: Defendant California Reconveyance Company <i>Discovery Commissioner's Report and Recommendations</i>
11/15/2016	 Notice of Entry Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Discovery Commissioner's Report and Recommendations</i>
11/15/2016	 Notice of Entry Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Discovery Commissioner's Report and Recommendations</i>
11/21/2016	 Notice of Deposition Filed By: Defendant Quality Loan Service Corporation <i>Notice of Deposition Susan Hjorth</i>
11/21/2016	 Notice of Deposition Filed By: Defendant Quality Loan Service Corporation <i>Notice of Deposition Jeffrey Benko</i>
11/21/2016	 Re-Notice Filed by: Plaintiff Gill, Antoinette <i>Plaintiffs' Re-Notice of Hearing of Motion for Clarification and Entry of Order Re February 2016, Hearing on Defendants' Joint NRCP 12(b)(5) Motions and Plaintiffs' Motion to Extend Length of Plaintiffs' Motion for Clarification and Entry of Order Re February 2016, Hearing</i>

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CASE SUMMARY
CASE NO. A-11-649857-C

on Defendants' Joint NRCP 16(b)(5) Motions by Thirteen (13) pages

11/23/2016	 Motion to Associate Counsel Filed By: Defendant National Default Servicing Corporation <i>Defendant National Default Servicing Corporation's Motion To Associate Counsel And Request For Hearing On Order Shortening Time</i>
12/01/2016	Motion for Clarification (3:00 AM) (Judicial Officer: Kephart, William D.) 12/01/2016, 01/05/2017 <i>Plaintiffs' Notice of Motion for Clarification and Entry of Order re February 2016 Hearing on Defendants' Joint NRCP 12(b)(5) Motions and Plaintiffs' Motion for Clarification and Entry of Order re February 2016 Hearing on Defendants' Joint NRCP 12(b)(5) Motions by Thirteen (13) Pages</i>
12/01/2016	Opposition and Countermotion (3:00 AM) (Judicial Officer: Kephart, William D.) 12/01/2016, 01/05/2017 <i>Defendants' Joint Motion to Strike and, in the Alternative, Opposition to Plaintiffs' Motion for Clarification and Entry of Order re February 2016 Hearing on Defendants' Joint NRCP 12(B)(5) Motions</i>
12/01/2016	 All Pending Motions (3:00 AM) (Judicial Officer: Kephart, William D.)
12/01/2016	 Order Filed By: Defendant California Reconveyance Company <i>Confidentiality Order</i>
12/01/2016	 Stipulation and Order for Dismissal With Prejudice Filed By: Defendant California Reconveyance Company <i>Stipulation and Proposed Order to Dismiss Plaintiffs Kim Moore and Thomas Moore with Prejudice</i>
12/01/2016	Order of Dismissal With Prejudice (Judicial Officer: Kephart, William D.) Debtors: Kim Moore (Plaintiff), Thomas Moore (Plaintiff) Creditors: California Reconveyance Company (Defendant) Judgment: 12/01/2016, Docketed: 12/08/2016
12/02/2016	CANCELED Status Check: Compliance (11:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated - per Commissioner</i>
12/05/2016	 Motion Filed By: Defendant National Default Servicing Corporation <i>National Default Servicing Corporation's Motion For Reconsideration Re: Order Adopting And Affirming Discovery Commissioner's Report And Recommendations Following September 21, 2016 Hearing</i>
12/05/2016	 Notice of Entry of Order Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Confidentiality Order</i>
12/05/2016	 Notice of Entry of Stipulation & Order for Dismissal Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Stipulation and Order to Dismiss Plaintiffs Kim Moore and Thomas Moore With Prejudice</i>
12/06/2016	 Initial Appearance Fee Disclosure Filed By: Defendant National Default Servicing Corporation <i>Initial Appearance Fee Disclosure</i>

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CASE NO. A-11-649857-C

12/07/2016	 Motion Filed By: Defendant National Default Servicing Corporation <i>Defendant National Default Servicing Corporation's Renewed Motion To Associate Counsel And Request For Hearing On Order Shortening Time</i>
12/07/2016	 Certificate of Mailing Filed By: Defendant Quality Loan Service Corporation <i>Certificate of Mailing</i>
12/08/2016	 Certificate of Service Filed by: Defendant National Default Servicing Corporation <i>Certificate of Service</i>
12/08/2016	 Certificate of Service Filed by: Defendant National Default Servicing Corporation <i>Certificate of Service</i>
12/08/2016	 Notice of Motion Filed By: Plaintiff Gill, Antoinette <i>Notice of Plaintiffs Motion to Compel and for Sanctions Against Defendants NDSC, QLS, CRC, AND MTC</i>
12/12/2016	 Discovery Commissioners Report and Recommendations Filed By: Defendant California Reconveyance Company <i>Discovery Commissioner's Report and Recommendations</i>
12/13/2016	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
12/13/2016	 Notice of Entry Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Discovery Commissioner's Report and Recommendations</i>
12/14/2016	 Notice of Motion Filed By: Plaintiff Benko, Jeffrey <i>Notice of Plaintiffs' Motion For Leave to File Third Amended Complaint</i>
12/15/2016	 Motion to Associate Counsel (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Defendant National Default Servicing Corporation's Renewed Motion To Associate Counsel And Request For Hearing On Order Shortening Time</i>
12/16/2016	 Order Admitting to Practice Filed By: Defendant National Default Servicing Corporation <i>Order Admitting To Practice</i>
12/16/2016	 Notice of Entry of Order Filed By: Defendant National Default Servicing Corporation <i>Notice Of Entry Of Order Admitting To Practice</i>
12/21/2016	 Opposition Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Opposition to Defendant National Default Servicing Corporation's Motion for Reconsideration Re: Order Adopting and Affirming Discovery Commissioner's Report and</i>

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C

Recommendations Following September 21, 2016 Hearing

12/21/2016	 Reply in Support Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Reply Brief In Support of Motion For Clarification And Entry of Order Re February 2016 Hearing on Defendants' Joint NRCP 12(b)(5) Motions</i>
12/22/2016	 Acknowledgment Filed By: Defendant Quality Loan Service Corporation <i>Acknowledgment of Receipt of Offers of Judgment</i>
12/27/2016	 Opposition to Motion to Compel Filed By: Defendant Quality Loan Service Corporation <i>Quality Loan Service Corporation's Opposition to Plaintiff's Motion to Compel and for Sanctions</i>
12/27/2016	 Opposition Filed By: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Opposition to Motion to Compel and for Sanctions Against Defendants NDSC, QLS, CRC and MTC</i>
12/27/2016	 Opposition to Motion to Compel Filed By: Defendant National Default Servicing Corporation <i>National Default Servicing Corporation's Opposition To Plaintiffs' Second Motion To Compel And For Sanctions</i>
12/27/2016	 Opposition to Motion to Compel Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc. d/b/a Trustee Corps' Memorandum in Opposition to Motion to Compel; Declaration of Allan E. Ceran in Support Thereof</i>
12/28/2016	 Receipt of Copy Filed by: Defendant Quality Loan Service Corporation <i>Receipt of Copy</i>
12/28/2016	 Receipt of Copy Filed by: Defendant Quality Loan Service Corporation <i>Receipt of Copy</i>
12/29/2016	 Opposition Filed By: Defendant Quality Loan Service Corporation <i>Quality Loan Service Corporations Limited Opposition to the Motion to Amend</i>
01/03/2017	 Response Filed by: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Response to Plaintiffs' Motion for Leave to File Third Amended Complaint</i>
01/03/2017	 Opposition to Motion Filed By: Defendant MTC Financial Inc <i>Defendant, MTC Financial Inc. dba Trustee Corps', Opposition to Plaintiffs' Motion for Leave to File Third Amended Complaint</i>
01/03/2017	 Request for Judicial Notice Filed By: Defendant MTC Financial Inc

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Request for Judicial Notice in Support of Defendant, MTC Financial Inc. dba Trustee Corps' Opposition to Plaintiffs' Motion for Leave to File Third Amended Complaint

01/03/2017



Declaration

Filed By: Defendant MTC Financial Inc

Declaration of Keiko J. Kojima in Support of Defendant MTC Financial Inc. dba Trustee Corps' Opposition to Plaintiffs' Motion for Leave to File Third Amended Complaint

01/04/2017



Reply in Support

Filed By: Plaintiff Benko, Jeffrey

Plaintiffs' Reply Brief in Supports of Plaintiffs' Motion to Compel and for Sanctions Against Defendants NDSC, QLS, CRC, AND MTC

01/05/2017

Motion for Clarification (3:00 AM) (Judicial Officer: Kephart, William D.)

Plaintiffs' Re-Notice of Hearing of Motion for Clarification and Entry of Order Re February 2016, Hearing on Defendants' Joint NRCP 12(b)(5) Motions and Plaintiffs' Motion to Extend Length of Plaintiffs' Motion for Clarification and Entry of Order Re February 2016, Hearing on Defendants' Joint NRCP 16(b)(5) Motions by Thirteen (13) pages

01/05/2017



All Pending Motions (3:00 AM) (Judicial Officer: Kephart, William D.)

01/05/2017



Receipt of Copy

Filed by: Defendant Quality Loan Service Corporation

Receipt of Copy

01/05/2017



Reply to Opposition

Filed by: Defendant National Default Servicing Corporation

Reply to Plaintiff's Opposition to National Default Servicing Corporation's Motion For Reconsideration Regarding Order Adopting And Affirming Discovery Commissioner's Report and Recommendations Following September 21, 2016 Hearing

01/10/2017



Motion for Protective Order

Filed By: Defendant California Reconveyance Company

Defendant California Reconveyance Company's Motion for Protective Order Regarding Interrogatory No. 18

01/10/2017



Reply to Motion

Filed By: Plaintiff Benko, Jeffrey

Plaintiffs' Reply Brief Re Plaintiffs' Motion to Leave to File Third Amended Complaint

01/11/2017



Motion to Compel (9:30 AM) (Judicial Officer: Bulla, Bonnie)

Notice of Plaintiffs Motion to Compel and for Sanctions Against Defendants NDSC, QLS, CRC, and MTC

01/11/2017



Filed Under Seal

Filed By: Defendant California Reconveyance Company

Defendant California Reconveyance Company's Motion for Protective Order Regarding Interrogatory No. 18 Exhibit A-1 Filed Under Seal

01/12/2017



Motion For Reconsideration (3:00 AM) (Judicial Officer: Kephart, William D.)

National Default Servicing Corporation's Motion For Reconsideration Re: Order Adopting And Affirming Discovery Commissioner's Report And Recommendations Following September 21, 2016 Hearing

01/12/2017









Certificate of Service

Filed by: Defendant California Reconveyance Company

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C












Certificate of Service of Defendant California Reconveyance Company's Motion for Protective Order Regarding Interrogatory No. 8

01/19/2017	 Motion for Leave (3:00 AM) (Judicial Officer: Kephart, William D.) 01/19/2017, 02/07/2017 <i>COURT CALL - Notice of Plaintiffs' Motion For Leave to File Third Amended Complaint</i>
01/23/2017	 Order Setting Civil Jury Trial <i>Order Setting Civil Jury Trial</i>
01/24/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings - Re: Notice of Plaintiff's Motion to Compel and for Sanctions Against Defendants NDSC, QLS, CRC, and MTC - heard Jan. 11, 2017</i>
02/01/2017	 Supplement to Opposition Filed By: Defendant National Default Servicing Corporation <i>Supplement To National Default Servicing Corporation's Opposition To Plaintiff's Second Motion To Compel And For Sanctions</i>
02/06/2017	 Affidavit Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Delivery</i>
02/06/2017	 Motion for Partial Summary Judgment Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' (Sansotas) Motion for Partial Summary Judgment Against MTC Financial, Inc.</i>
02/06/2017	 Notice of Motion Filed By: Plaintiff Benko, Jeffrey <i>Notice of Motion Re Plaintiffs' Motion for Partial Summary Judgment</i>
02/06/2017	 Statement Filed by: Plaintiff Benko, Jeffrey <i>Plaintiffs' Separate Statement in Support of Motion for Partial Summary Judgment</i>
02/06/2017	 Affidavit Filed By: Plaintiff Benko, Jeffrey <i>Declaration of Nicholas A. Boylan in Support of Plaintiffs' Motion for Partial Summary Judgment</i>
02/07/2017	Status Check (9:00 AM) (Judicial Officer: Kephart, William D.) <i>COURT CALL - Status Check: Outstanding Motions / Discovery / Trial</i>
02/07/2017	 All Pending Motions (9:00 AM) (Judicial Officer: Kephart, William D.) <i>COURT CALL</i>
02/08/2017	 Affidavit of Service Filed By: Plaintiff Benko, Jeffrey <i>Affidavit of Service</i>
02/08/2017	 Affidavit of Service Filed By: Plaintiff Benko, Jeffrey <i>Affidavit of Service</i>
02/08/2017	

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	 Affidavit of Service Filed By: Plaintiff Benko, Jeffrey <i>Affidavit of Service</i>
02/10/2017	 Opposition Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Opposition to CRC's Motion for Protective Order Re Interrogatory No. 18</i>
02/10/2017	CANCELED Status Check: Compliance (11:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>

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02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/13/2017	 Affidavit of Service Filed By: Defendant Quality Loan Service Corporation <i>Affidavit of Service</i>
02/15/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings - Notice of Plaintiffs' Motion for Leave to File Third Amended Complaint; Status Check: Outstanding Motions/Discovery/Trial - Tuesday, February 7, 2017</i>
02/16/2017	 Statement Filed by: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Statement on Compliance Following the January 11, 2017 Hearing Before the Discovery Commissioner</i>
02/17/2017	Motion for Protective Order (9:30 AM) (Judicial Officer: Bulla, Bonnie) Events: 01/10/2017 Motion for Protective Order <i>COURT CALL - Defendant California Reconveyance Company's Motion for Protective Order Regarding Interrogatory No. 18</i>
02/17/2017	Status Check: Compliance (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>COURT CALL - STATUS CHECK: COMPLIANCE</i>
02/17/2017	Status Check: Compliance (9:30 AM) (Judicial Officer: Bulla, Bonnie) <i>COURT CALL - SC: Compliance / Production / Interrogatory 18 (CRC) / Update on Depositions</i>
02/17/2017	 All Pending Motions (9:30 AM) (Judicial Officer: Bulla, Bonnie)
02/22/2017	 Disclosure Statement Party: Plaintiff Benko, Jeffrey <i>Quality Loan Service Corporation's Disclosure Statement Pursuant to Nev. R. Civ. Pro 7.1</i>
02/23/2017	 Disclosure Statement Party: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Corporate Disclosure Statement Pursuant to Nev. R. Civ. P. 7.1</i>
02/23/2017	 Notice of Motion Filed By: Plaintiff Gill, Antoinette <i>Notice of Plaintiffs' Motion to Compel and For Sanctions Against Defendant CRC</i>
02/24/2017	 Opposition to Motion For Summary Judgment Filed By: Defendant Quality Loan Service Corporation <i>Quality Loan Service Corporation's Opposition to the Motion for Partial Summary Judgment</i>
02/24/2017	 Objection Filed By: Defendant MTC Financial Inc

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CASE NO. A-11-649857-C

MTC Financial Inc. dba Trustee Corps' Evidentiary Objections to Declaration of Nicholas A. Boylan Filed in Support of Sansota's Motion for Partial Summary Judgment

02/24/2017



Request for Judicial Notice

Filed By: Defendant MTC Financial Inc

Request for Judicial Notice in Support of Defendant, MTC Financial Inc. dba Trustee Corps': 1) Cross-Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota; and 2) Opposition to Motion for Partial Summary Judgment of Plaintiffs Raymond Sansota and Francine Sansota

02/24/2017



Objection

Filed By: Defendant MTC Financial Inc

MTC Financial Inc. dba Trustee Corps' Objections to Sansota's Separate Statement in Support of Sansota's Motion for Partial Summary Judgment

02/24/2017



Opposition to Motion For Summary Judgment

Filed By: Defendant MTC Financial Inc

Defendant MTC Financial Inc. dba Trustee Corps' Memorandum in Opposition to Motion for Partial Summary Judgment of Plaintiffs Raymond Sansota and Francine Sansota; Declaration of Allan E. Ceran in Support Thereof

02/24/2017



Motion for Summary Judgment

Filed By: Defendant MTC Financial Inc

Defendant MTC Financial Inc. dba Trustee Corps' Cross-Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota; Declaration of Allan E. Ceran in Support Thereof

02/24/2017



Declaration

Filed By: Defendant MTC Financial Inc

Declaration of Rande Johnsen in Support of Defendant MTC Financial Inc. dba Trustee Corps': 1) Cross-Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota; and 2) Opposition to Motion for Partial Summary Judgment of Plaintiffs Raymond Sansota and Francine Sansota

02/27/2017



Disclosure of Documents and Witnesses Pursuant to NRCP 16.1

Filed By: Defendant National Default Servicing Corporation

National Default Servicing Corporation's N.R.C.P Rule 7.1 Disclosure Statement

02/28/2017



Motion to Associate Counsel

Filed By: Defendant California Reconveyance Company

Defendant California Reconveyance Company's Motion to Associate Counsel and Motion for Order Shortening Time

03/01/2017



Re-Notice

Filed by: Defendant Quality Loan Service Corporation

Re-Notice of Deposition of Camilo Martinez and Ana Martinez

03/01/2017



Application for Issuance of Commission to Take Deposition

Party: Plaintiff Gill, Antoinette

Application for Commission to Take Out of State Deposition of Domingo Santos

03/01/2017



Application for Issuance of Commission to Take Deposition

Party: Plaintiff Gill, Antoinette

Application for Commission to Take Out of State Deposition of Zelma Thorpes

03/01/2017



Application for Issuance of Commission to Take Deposition

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	Party: Plaintiff Gill, Antoinette <i>Application for Commission to Take Out of State Deposition of Elena Martinez</i>
03/01/2017	 Commission to Take Deposition Outside the State of Nevada Filed By: Plaintiff Benko, Jeffrey <i>Commission to Take Out of State Deposition of Elena Martinez</i>
03/01/2017	 Commission to Take Deposition Outside the State of Nevada Filed By: Plaintiff Benko, Jeffrey <i>Commission to Take Out of State Deposition of Zelma Thorpes</i>
03/01/2017	 Commission to Take Deposition Outside the State of Nevada Filed By: Plaintiff Benko, Jeffrey <i>Commission to Take Out of State Deposition of Domingo Santos</i>
03/02/2017	 Motion to Associate Counsel (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Defendant California Reconveyance Company's Motion to Associate Counsel and Motion for Order Shortening Time</i>
03/02/2017	 Recorders Transcript of Hearing <i>Recorder's Transcript of Proceedings - Transcript Re: Defendant California Reconveyance Company's Motion for Protective Order Regarding Interrogatory No. 18; Status Check: Compliance / Production / Interrogatory No. 18 / Update on Depositions - heard on Feb. 17, 2017</i>
03/07/2017	 Opposition Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Preliminary Opposition Memorandum of Points and Authorities to Defendant MTC Financial Inc's Cross-Motion for Summary Judgment Or, In the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota</i>
03/07/2017	 Objection Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Objection and Response To Quality Loan Service Corporation's Opposition to the Motion for Partial Summary Judgment</i>
03/07/2017	 Reply in Support Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Reply Memorandum In Support of Plaintiffs' Motion for Partial Summary Judgment Against Defendant MTC</i>
03/08/2017	 Status Check (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>COURT CALL - Status Check: Phase 2 and Phase 3 Discovery</i>
03/09/2017	 Order Filed By: Defendant California Reconveyance Company <i>Order Admitting Tracy M. Talbot to Practice</i>
03/10/2017	 Opposition/Response/Objection/Reply Filed by: Plaintiff Benko, Jeffrey <i>Plaintiff Preliminary Response to MTC Financial Inc DBA Trustee Corps' Objections to Sansota's Motion for Partial Summary Judgment</i>
03/10/2017	 Opposition/Response/Objection/Reply Filed by: Plaintiff Gill, Antoinette

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CASE SUMMARY
CASE NO. A-11-649857-C

Plaintiffs' Preliminary Response to MTC Financial Inc dba Trustee Corps' Objections to Sansota's Separate StatementT in Support of Sanstoa's Motion for Partial Summary Jdugment

03/10/2017



Objection

Filed By: Defendant MTC Financial Inc
Defendant MTC Flnancial Inc dba Trustee Corps' Objections to Additional Evidence Filed Belatedly by Plaintiff's Raymond Sansota and Francine Sansota in Support of the Their Motion for Partial Summary Judgment

03/10/2017



Declaration

Filed By: Defendant MTC Financial Inc
Declaration of Jerett T. Yan in Support of Defendant MTC Financial Inc dba Trustee Corps' Objections to Additional Evidence Filed Belatedly by Plaintiffs Raymond Sansota and Francine Sansota in Support of Their Motion for Partial Summary Judgment

03/10/2017



Objection

Filed By: Defendant MTC Financial Inc
MTC Financial Inc dba Trustee Corps' Objections to the Separate Statement in Support of Sansota's Preliminary Opposition to Trustee Corps' Crossmotion for Summary Judgment

03/10/2017



Objection

Filed By: Defendant MTC Financial Inc
MTC Financial Inc dba Trustee Corps' Objections to the Supplemental Separate Statement in Support of the Reply Memorandum of Raymond Sansota and Francine Sansota in Support of Motion for Partial Summary Judgmnet

03/10/2017



Notice of Entry of Order

Filed By: Defendant California Reconveyance Company
Notice of Entry of Order Admitting Tracy M. Talbot to Practice

03/10/2017



Declaration

Filed By: Defendant MTC Financial Inc
Declaration of Gloria Juarez in Support of Defendant MTC Financial Inc dba Trustee Corps Objections to Additional Evidence Filed Belatedly by Plaintiffs Raymond Sansota and Francine Sansota in Support of Their Motion for Partial Summary Judgment

03/10/2017



Declaration

Filed By: Defendant MTC Financial Inc
Declaration of Gloria Juarez in Support of Defendant MTC Financial Inc dba Trustee Corps Cross-Motion for Summaru Judgement

03/10/2017



Recorders Transcript of Hearing

Recorder's Transcript of Proceedings - Court Call - Status Check: Phase 2 and Phase 3 Discovery - heard on March 8, 2017

03/10/2017



Reply in Support

Filed By: Defendant MTC Financial Inc
(Please See Errata Filed 3/13/2017) Defendant MTC Financial Inc dba Trustee Corps' Reply Memorandum in Support of Crossmotion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota

03/13/2017



Errata

Filed By: Plaintiff Benko, Jeffrey
Notice of Errata to Declaration of Nicholas A Boylan in Support of 1) Plaintiffs' Preliminary Opposition Memorandum of Points and Authorities to Defendant MTC Financial Inc's Cross-Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota; and 2) Plaintiffs' Reply Memorandum in

DEPARTMENT 19
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Support of Plaintiffs' Motion for Partial Summary Judgment Against Defendant MTC

03/13/2017



Opposition

Filed By: Defendant California Reconveyance Company
Defendant California Reconveyance Company's Opposition to Motion to Compel and for Sanctions Against Defendant CRC

03/13/2017



Declaration

Filed By: Defendant MTC Financial Inc
Declaration of Jerett T. Yan in Support of Defendant, MTC Financial Inc dba Trustee Corps' Cross-Motion for Summary Judgment

03/14/2017



Order Granting Motion

Filed By: Plaintiff Benko, Jeffrey
Order Re Plaintiff's Motion for Leave to File Third Amended Complaint

03/14/2017



Discovery Commissioners Report and Recommendations

Filed By: Defendant California Reconveyance Company
Discovery Commissioner's Report and Recommendations

03/14/2017

Motion for Partial Summary Judgment (9:00 AM) (Judicial Officer: Kephart, William D.)
03/14/2017, 05/04/2017

Events: 02/06/2017 Notice of Motion
Notice of Motion Re Plaintiffs' Motion for Partial Summary Judgment

03/14/2017

Motion For Reconsideration (9:00 AM) (Judicial Officer: Kephart, William D.)
03/14/2017, 05/04/2017

National Default Servicing Corporation's Motion For Reconsideration Re: Order Adopting And Affirming Discovery Commissioner's Report And Recommendations Following September 21, 2016 Hearing

03/14/2017

Motion for Clarification (9:00 AM) (Judicial Officer: Kephart, William D.)
03/14/2017, 05/04/2017

Plaintiff's Motion for Clarification and entry of Order re: February 2016 Hearing on Defendant's Joint NRCP 12(b)(5) Motions

03/14/2017

Motion (9:00 AM) (Judicial Officer: Kephart, William D.)
03/14/2017, 05/04/2017

Plaintiff's Motion to Extend Length of Plaintiff's Motion for Clarification and entry of Order re: February 2016 Hearing on Defendant's Joint NRCP 12(b)(5) Motions by Thirteen Pages

03/14/2017



All Pending Motions (9:00 AM) (Judicial Officer: Kephart, William D.)

03/14/2017



Status Check: Status of Case (11:30 AM) (Judicial Officer: Bulla, Bonnie)

Status Check: Status of Case / Trial date

03/15/2017



Notice of Entry of Order

Filed By: Plaintiff Benko, Jeffrey
Notice of Entry of Order Granting Plaintiffs' Motion For Leave To File Third Amended Complaint

03/15/2017



Third Amended Complaint

Filed by: Plaintiff Laghaei, Bijan
Third Amended Complaint of Plaintiffs Jeffrey Benko, Camilo Martinez, Ana Martinez, Frank Scinta, Jacqueline Scinta, Susan Hjorth, Raymond Sansota, Francine Sansota, Sandra Kuhn, Jesus Gomez, Silvia Gomez, Donna Herrera, Jesse Hennigan, Susan Kallen, Robert Mandarich, James Nico, and Bijan Laghaei

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03/16/2017	 Initial Appearance Fee Disclosure Filed By: Plaintiff Laghaei, Bijan <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
03/17/2017	 Notice Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Discovery Commissioner's Report and Recommendations</i>
03/22/2017	 Recorders Transcript of Hearing <i>Transcript of Proceedings - Motions Hearing - Tuesday, March 14, 2017</i>
03/24/2017	CANCELED Status Check: Compliance (11:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated - per Commissioner</i>
03/28/2017	 Amended Answer Filed By: Defendant MTC Financial Inc <i>Answer of Defendant MTC Financial Inc. dba Trustee Corps to Third Amended Complaint of Plaintiffs</i>
03/28/2017	 Opposition Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Memorandum of Points and Authorities in Opposition to Defendants' Motion to Dismiss the Third Amended Complaint</i>
03/29/2017	 Discovery Commissioners Report and Recommendations Filed By: Defendant Quality Loan Service Corporation <i>Discovery Commissioner's Report and Recommendations</i>
03/29/2017	CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated - per Commissioner</i> <i>Notice of Plaintiffs' Motion to Compel and For Sanctions Against Defendant CRC</i>
03/29/2017	 Notice Filed By: Plaintiff Benko, Jeffrey <i>Notice of Plaintiffs Submission of Evidence for Purposes of May 4, 2017 Hearing</i>
03/31/2017	 Motion to Associate Counsel Filed By: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Motion to Associate Counsel and Motion for Order Shortening Time</i>
03/31/2017	 Notice of Entry Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Discovery Commissioner's Report and Recommendations</i>
04/03/2017	 Motion for Summary Judgment Filed By: Defendant Quality Loan Service Corporation <i>Quality Loan Service Corporation's Motion to Dismiss the Third Amended Complaint and in the Alternative Motion for Summary Judgment</i>
04/04/2017	 Response Filed by: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Response to Plaintiffs' "Memorandum of Points and Authorities in Opposition to Defendants' Motion to Dismiss the Third Amended Complaint"</i>

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04/04/2017	 Joinder Filed By: Defendant National Default Servicing Corporation <i>National Default Servicing Corporation's Joinder to Defendant California Reconveyance Company's Response to Plaintiffs' Memorandum of Points and Authorities in Opposition to Defendants' Motion to Dismiss the Third Amended Complaint</i>
04/04/2017	 Motion for Summary Judgment Filed By: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Motion for Summary Judgment</i>
04/04/2017	 Joinder Filed By: Defendant Quality Loan Service Corporation <i>Quality Loan Service Corporation's Joinder to Defendant California Reconveyance Company's Response to Plaintiffs' Memorandum of Points and Authorities in Opposition to Defendants Motion to Dismiss the Third Amended Complaint.</i>
04/04/2017	 Objection Filed By: Defendant MTC Financial Inc <i>Objections and Response of Defendant MTC Financial Inc. dba Trustee Corps to Plaintiffs' Supplemental Filing and Joinder in Defendant California Reconveyance Company's Response to Same</i>
04/05/2017	 Filed Under Seal <i>Exhibit A-11- Filed Under Seal</i>
04/06/2017	 Motion to Associate Counsel (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Defendant California Reconveyance Company's Motion to Associate Counsel and Motion for Order Shortening Time</i>
04/06/2017	 Reply Filed by: Plaintiff Gill, Antoinette <i>Plaintiffs' Reply to MTC's Objection, For the May 4, 2017 Hearing</i>
04/07/2017	 Discovery Commissioners Report and Recommendations Filed By: Defendant California Reconveyance Company <i>Discovery Commissioner's Report and Recommendations</i>
04/07/2017	 Joinder to Motion For Summary Judgment Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc dba Trustee Corps' Joinder to California Reconveyance Company's Motion for Summary Judgment</i>
04/07/2017	 Joinder to Motion For Summary Judgment Filed By: Defendant MTC Financial Inc <i>Defendant MTC Financial Inc dba Trustee Corps' Joinder to Quality Loan Service Corporation's Motion for Summary Judgment</i>
04/11/2017	 Reply Filed by: Plaintiff Gill, Antoinette <i>Plaintiffs' Reply to Defendants California Reconveyance Company's Request to Dismiss the Third Amended Complaint (and Joinders)</i>
04/12/2017	 Notice of Entry of Order Filed By: Defendant California Reconveyance Company

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Notice of Entry of Discovery Commissioner's Report and Recommendations

04/14/2017	 Joinder to Motion For Summary Judgment Filed By: Defendant National Default Servicing Corporation <i>National Default Servicing Corporation's Joinder to Defendant California Reconveyance Company's Motion for Summary Judgment</i>
04/21/2017	 Opposition Filed By: Plaintiff Gill, Antoinette <i>Plaintiffs' Opposition to Defendant California Reconveyance Company's Motion for Summary Judgment</i>
04/24/2017	 Notice Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Notice of Filing Documents Under Seal in Support of Plaintiffs' Opposition to Defendant California Reconveyance Company's Motion for Summary Judgment</i>
04/25/2017	 Filed Under Seal Filed By: Attorney Boylan, Nicholas A. <i>Plaintiffs' Notice of Filing Documents Under Seal in Support of Plaintiffs' Opposition to Defendant California Reconveyance Company's Motion for Summary Judgment</i>
04/27/2017	 Order Admitting to Practice Filed By: Defendant California Reconveyance Company <i>Order Admitting Gregory B. Iannelli to Practice</i>
04/28/2017	 Opposition Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Opposition to Defendant Quality Loan Service Corporation's Motion for Summary Judgment</i>
04/28/2017	 Notice of Entry of Order Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Order Admitting Gregory B. Iannelli to Practice</i>
05/02/2017	 Reply in Support Filed By: Defendant California Reconveyance Company <i>Reply In Support of Defendant Reconveyance Company's Motion for Summary Judgment</i>
05/02/2017	 Opposition Filed By: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Opposition to Plaintiffs' Objections and Motion to Strike All Or Portions To The Testimony/Evidence of Deborah Brignac and Colleen Irby, Submitted By CRC In Support of Its Summary Judgment Motion</i>
05/03/2017	 Stipulation and Order Filed by: Plaintiff Benko, Jeffrey <i>Stipulation and Order Re; Resetting the Time Pertaining to Briefing QLS' Pending Motion for Summary Judgment</i>
05/04/2017	 All Pending Motions (9:00 AM) (Judicial Officer: Kephart, William D.)
05/04/2017	CANCELED All Pending Motions (9:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - Duplicate Entry</i>
	CANCELED Motion for Summary Judgment (9:00 AM) (Judicial Officer: Kephart, William

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05/09/2017	D.) <i>Vacated - per Judge</i> <i>Defendant California Reconveyance Company's Motion for Summary Judgment</i>
05/09/2017	CANCELED Joinder (9:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i> <i>Defendant MTC Financial Inc dba Trustee Corps' Joinder to California Reconveyance Company's Motion for Summary Judgment</i>
05/09/2017	CANCELED Joinder (9:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i> <i>National Default Servicing Corporation's Joinder to Defendant California Reconveyance Company's Motion for Summary Judgment</i>
05/10/2017	 Recorders Transcript of Hearing Party: Plaintiff Benko, Jeffrey <i>Recorders Transcript of Hearing - All Pending Motions - Thursday, May 4, 2017</i>
05/16/2017	CANCELED Motion for Summary Judgment (9:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i> <i>Quality Loan Service Corporation's Motion to Dismiss the Third Amended Complaint and in the Alternative Motion for Summary Judgment</i>
05/16/2017	CANCELED Joinder (9:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i> <i>Defendant MTC Financial Inc dba Trustee Corps' Joinder to Quality Loan Service Corporation's Motion for Summary Judgment</i>
06/07/2017	 Order Filed By: Defendant California Reconveyance Company <i>Order Dismissing Case As A Matter of Law and Directing Judgment in Defendants' Favor in Connection With Plaintiffs' Third Amended Complaint With Prejudice</i>
06/07/2017	Order of Dismissal With Prejudice (Judicial Officer: Kephart, William D.) Debtors: Jeffrey Benko (Plaintiff), Camilo Martinez (Plaintiff), Ana Martinez (Plaintiff), Frank Scinta (Plaintiff), Jacqueline Scinta (Plaintiff), Susan Hjorth (Plaintiff), Raymond Sansota (Plaintiff), Francine Sansota (Plaintiff), Sandra Kuhn (Plaintiff), Jesus Gomez (Plaintiff), Silvia Gomez (Plaintiff), Donna Herrera (Plaintiff), Antoinette Gill (Plaintiff), Jesse Hennigan (Plaintiff), Susan Kallen (Plaintiff), Robert Mandarich (Plaintiff), James Nico (Plaintiff), Patricia Tagliamonte (Plaintiff), Bijan Laghaei (Plaintiff), Kim Moore (Plaintiff), Thomas Moore (Plaintiff) Creditors: MTC Financial Inc (Defendant), National Default Servicing Corporation (Defendant), California Reconveyance Company (Defendant), Quality Loan Service Corporation (Defendant), Meridian Foreclosure Service (Defendant) Judgment: 06/07/2017, Docketed: 06/08/2017
06/08/2017	 Notice of Entry of Order Filed By: Defendant California Reconveyance Company <i>Notice of Entry of Order Dismissing Case As A Matter of Law and Directing Judgment in Defendants' Favor In Connection With Plaintiffs' Third Amended Complaint With Prejudice</i>
06/13/2017	 Memorandum of Costs and Disbursements <i>Memorandum of Costs and Disbursements</i>
06/13/2017	 Memorandum of Costs and Disbursements Filed By: Defendant California Reconveyance Company; Defendant Quality Loan Service Corporation <i>National Default Servicing Corporation's Memorandum of Costs and Disbursements</i>

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06/14/2017	CANCELED Status Check: Compliance (10:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated - per Judge</i>
06/14/2017	CANCELED Status Check: Status of Case (10:00 AM) (Judicial Officer: Bulla, Bonnie) <i>Vacated - per Judge</i>
06/14/2017	 Memorandum of Costs and Disbursements Filed By: Defendant Quality Loan Service Corporation <i>Quality Loan Service Corporation's Memorandum of Costs and Disbursements</i>
06/14/2017	 Memorandum of Costs and Disbursements Filed By: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Memorandum of Costs</i>
06/14/2017	 Motion for Costs Filed By: Defendant California Reconveyance Company <i>Defendant California Reconveyance Company's Motion for Costs</i>
06/19/2017	 Notice of Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Notice of Motion to Retax and Settle Costs and Disbursements as to Defendant MTC Financial Inc. dba Trustee Corps</i>
06/19/2017	 Motion <i>Plaintiffs' Motion to Retax and Settle Costs and Disbursements as to Defendant MTC Financial Inc. dba Trustee Corps</i>
06/19/2017	 Notice of Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Notice of Motion to Retax and Settle Costs and Disbursements as to Defendant NDSC</i>
06/19/2017	 Motion <i>Plaintiffs' Motion to Retax and Settle Costs and Disbursements as to Defendant NDSC</i>
06/21/2017	 Errata Filed By: Defendant California Reconveyance Company <i>Errata to Defendant California Reconveyance Company's Motion for Costs</i>
06/21/2017	 Notice of Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Notice of Motion to ReTax and Settle Costs and Disbursement as to Defendant Quality Loan Service Corporation</i>
06/21/2017	 Motion to Retax Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Motion to ReTax and Settle Costs and Disbursement as to Defendant Quality Loan Service Corporation</i>
06/21/2017	 Notice of Motion Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Notice of Motion to Retax and Settle Costs and Disbursements as to Defendant California Reconveyance Company</i>
06/21/2017	 Motion to Retax

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	Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Motion to Retax and Settle Costs and Disbursements as to Defendant California Reconveyance Company</i>
06/21/2017	 Affidavit Filed By: Plaintiff Benko, Jeffrey <i>Declaration of Nicholas A. Boylan in Support of Plaintiffs' Motion to Retax and Settle Costs and Disbursements as to Defendant California Reconveyance Company</i>
06/27/2017	 Motion for Attorney Fees Filed By: Defendant Quality Loan Service Corporation <i>Quality Loan Service Corporation's Motion for Attorney's Fees</i>
06/27/2017	 Motion for Attorney Fees Filed By: Defendant National Default Servicing Corporation <i>National Default Servicing Corporation's Motion For Attorney's Fees</i>
07/05/2017	 Notice of Appeal Filed By: Plaintiff Benko, Jeffrey <i>Plaintiffs' Notice of Appeal of Court's Order of June 7, 2017</i>
07/06/2017	 Notice of Non Opposition Filed By: Defendant California Reconveyance Company <i>Notice of Non-Opposition to Defendant California Reconveyance Company's Motion for Costs</i>
07/06/2017	 Opposition <i>Memorandum in Opposition to Plaintiffs' Motion to Retax and Settle Costs as to Defendant MTC Financial Inc dba Trustee Corps</i>
07/06/2017	 Declaration <i>Declaration of Allan E. Ceran in Opposition to Plaintiffs' Motion to Retax and Settle Costs as to Defendant MTC Financial Inc. dba Turstee Corps</i>
07/06/2017	 Opposition to Motion Filed By: Defendant National Default Servicing Corporation <i>National Default Servicing Corporation's Opposition to Plaintiffs' Motion to Retax and Settle Costs and Disbursements</i>
07/20/2017	Motion (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Defendant California Reconveyance Company's Motion for Costs</i>
07/20/2017	Motion to Retax (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Plaintiffs' Notice of Motion to Retax and Settle Costs and Disbursements as to Defendant MTC Financial Inc. dba Trustee Corps</i>
07/20/2017	Motion to Retax (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Plaintiff's Notice of Motion to Retax and Settle Costs and Disbursements as to Defendant NDSC</i>
08/01/2017	Motion to Retax (9:00 AM) (Judicial Officer: Kephart, William D.) <i>Plaintiffs' Motion to Retax and Settle Costs and Disbursements as to Defendant California Reconveyance Company</i>
08/03/2017	Motion to Retax (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Plaintiffs' Notice of Motion to ReTax and Settle Costs and Disbursement as to Defendant Quality Loan Service Corporation</i>

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C

08/03/2017	Motion for Attorney Fees (3:00 AM) (Judicial Officer: Kephart, William D.) <i>Quality Loan Service Corporation's Motion for Attorney Fees</i>
08/03/2017	Motion for Attorney Fees (3:00 AM) (Judicial Officer: Kephart, William D.) <i>National Default Servicing Corporation's Motion For Attorney's Fees</i>
01/10/2018	CANCELED Status Check: Discovery (9:00 AM) (Judicial Officer: Scann, Susan) <i>Vacated - Case Reassigned</i>
03/12/2018	CANCELED Pre Trial Conference (10:30 AM) (Judicial Officer: Jones, David M) <i>Vacated - Case Reassigned</i>
03/19/2018	CANCELED Calendar Call (10:30 AM) (Judicial Officer: Jones, David M) <i>Vacated - Case Reassigned</i>
03/26/2018	CANCELED Jury Trial (10:30 AM) (Judicial Officer: Jones, David M) <i>Vacated - Case Reassigned</i>
04/24/2018	CANCELED Pre Trial Conference (9:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i>
05/08/2018	CANCELED Calendar Call (9:00 AM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i>
06/04/2018	CANCELED Jury Trial (1:00 PM) (Judicial Officer: Kephart, William D.) <i>Vacated - per Judge</i>

DATE	FINANCIAL INFORMATION
	Plaintiff Kallen, Susan Total Charges 30.00 Total Payments and Credits 30.00 Balance Due as of 7/7/2017 0.00
	Plaintiff Laghaei, Bijan Total Charges 30.00 Total Payments and Credits 30.00 Balance Due as of 7/7/2017 0.00
	Plaintiff Mandarich, Robert Total Charges 30.00 Total Payments and Credits 30.00 Balance Due as of 7/7/2017 0.00
	Defendant MTC Financial Inc Total Charges 1,023.00 Total Payments and Credits 1,023.00 Balance Due as of 7/7/2017 0.00
	Defendant National Default Servicing Corporation Total Charges 423.00 Total Payments and Credits 423.00 Balance Due as of 7/7/2017 0.00
	Plaintiff Nico, James Total Charges 30.00 Total Payments and Credits 30.00 Balance Due as of 7/7/2017 0.00
	Plaintiff Tagliamonte, Patricia Total Charges 30.00 Total Payments and Credits 30.00 Balance Due as of 7/7/2017 0.00

DEPARTMENT 19
CASE SUMMARY
CASE NO. A-11-649857-C

Defendant California Reconveyance Company

Total Charges	643.50
Total Payments and Credits	643.50
Balance Due as of 7/7/2017	0.00

Defendant Quality Loan Service Corporation

Total Charges	426.50
Total Payments and Credits	426.50
Balance Due as of 7/7/2017	0.00

Plaintiff Benko, Jeffrey

Total Charges	1,416.00
Total Payments and Credits	1,416.00
Balance Due as of 7/7/2017	0.00

CIVIL COVER SHEET

County, Nevada

Case No. _____
(Assigned by Clerk's Office)

A - 1 1 - 6 4 9 8 5 7 - C

X X I X

I. Party Information

Plaintiff(s) (name/address/phone):

Jeffrey Benko, et al.

Attorney (name/address/phone):

Nicholas A. Boylan, Esq.

Law Offices of Nicholas A. Boylan, APC

450 A Street, Suite 400

San Diego, CA 92101

Defendant(s) (name/address/phone):

Quality Loan Service Corporation, a California Corporation, et al.

Attorney (name/address/phone):

Formatted Table

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)☐ **Arbitration Requested****Civil Cases**

Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer	<input type="checkbox"/> Negligence <input type="checkbox"/> Negligence - Auto <input type="checkbox"/> Negligence - Medical/Dental <input type="checkbox"/> Negligence - Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence - Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
<input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning		
Probate	Other Civil Filing Types	
Estimated Estate Value: _____ <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate	<input type="checkbox"/> Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input type="checkbox"/> Breach of Contract <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"/> Civil Petition for Judicial Review <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"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input type="checkbox"/> Other Civil Filing <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 checked="" type="checkbox"/> Other Civil Matters

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

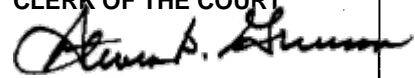
☐ NRS Chapters 78-88
☐ Commodities (NRS 90)
☐ Securities (NRS 90)

☐ Investments (NRS 104 Art. 8)
☐ Deceptive Trade Practices (NRS 598)
☐ Trademarks (NRS 600A)

☐ Enhanced Case Mgmt/Business
☒ Other Business Court Matters

10.12.11
Date

[Signature]
Signature of initiating party or representative



ORDR

Kent F. Larsen
Nevada Bar No. 3463
Katie M. Weber
Nevada Bar No. 11736
SMITH LARSEN & WIXOM
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kw@slwlaw.com

Attorneys for Defendant California Reconveyance
Company

[Additional Counsel Listed on Signature Page]

DISTRICT COURT

CLARK COUNTY, NEVADA

JEFFREY BENKO, a Nevada resident; CAMILO
MARTINEZ, a Nevada resident; ANA MARTINEZ,
a Nevada resident; FRANK SCINTA, a Nevada
resident; JACQUELINE SCINTA, a Nevada
resident; SUSAN HJORTH, a Nevada resident;
RAYMOND SANSOTA, a Ohio resident;
FRANCINE SANSOTA, a Ohio resident; SANDRA
KUHN, a Nevada resident; JESUS GOMEZ, a
Nevada resident; SILVIA GOMEZ, a Nevada
resident; DONNA HERRERA, a Nevada resident;
ANTOINETTE GILL, a Nevada resident; JESSE
HENNIGAN, a Nevada resident; KIM MOORE, a
Nevada resident; THOMAS MOORE, a Nevada
resident; SUSAN KALLEN, a Nevada resident;
ROBERT MANDARICH, a Nevada resident;
JAMES NICO, a Nevada resident; and PATRICIA
TAGLIAMONTE, a Nevada resident,

Plaintiffs,

vs.

QUALITY LOAN SERVICE CORPORATION, a
California Corporation; MTC FINANCIAL, INC.
dba TRUSTEE CORPS, a California Corporation;
MERIDIAN FORECLOSURE SERVICE, a
California and Nevada Corporation dba MTDS, Inc.,
dba MERIDIAN TRUST DEED SERVICE;
NATIONAL DEFAULT SERVICING
CORPORATION; a Arizona Corporation,
CALIFORNIA RECONVEYANCE COMPANY, a
California Corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: A-11-649857-C
Dept. No.: XIX

**ORDER DISMISSING CASE AS A
MATTER OF LAW AND
DIRECTING JUDGMENT IN
DEFENDANTS' FAVOR
IN CONNECTION WITH
PLAINTIFFS' THIRD AMENDED
COMPLAINT WITH PREJUDICE**

**Hearing Date: May 4, 2016
Hearing Time: 9:00 a.m.**

SMITH LARSEN & WIXOM
ATTORNEYS
HILLS CENTER BUSINESS PARK
1935 Village Center Circle
Las Vegas, Nevada 89134
TEL (702) 252-5002 · FAX (702) 252-6007

1 1. On May 4, 2017, at 9:00 a.m. in Department XIX, before the Honorable William
2 D. Kephart, Plaintiffs, by and through their counsel, and Defendants California Reconveyance
3 Company, Quality Loan Service Corporation, National Default Servicing Corporation, and MTC
4 Financial Inc. dba Trustee Corps (collectively, "Defendants"), by and through their counsel,
5 appeared before the Court. [Transcript re: Motions Hearing (5/4/17) at 1] The May 4, 2017
6 hearing was a continuation of the hearing on March 14, 2017 regarding whether Plaintiffs had
7 viable claims as a matter of law under the Third Amended Complaint. [Transcript re: All
8 Pending Motions (3/14/17) at 1:5-11] At the March 14, 2017 hearing, the Court invited the
9 parties to submit supplemental briefing based on a schedule it established. [TR (3/14/17) at 27:3-
10 4; 24:24-25:15, 31:7-8, 31:18-33:1]

11 2. The following Court-authorized supplemental briefing is pending before the Court:
12 (1) Plaintiffs' Memorandum of Points and Authorities in Opposition to Defendants' Motion to
13 Dismiss the Third Amended Complaint; (2) Defendant California Reconveyance Company's
14 Response to Plaintiffs' "Memorandum of Points and Authorities in Opposition to Defendants'
15 Motion to Dismiss the Third Amended Complaint;" (3) Objections and Response of Defendant
16 MTC Financial Inc. dba Trustee Corps to Plaintiffs' Supplemental Filing; (4) National Default
17 Servicing Corporation's Joinder to Defendant California Reconveyance Company's Response to
18 Plaintiffs' Memorandum of Points and Authorities in Opposition to Defendants' Motion to
19 Dismiss the Third Amended Complaint; (5) Quality Loan Service Corporation's Joinder to
20 Defendant California Reconveyance Company's Response to Plaintiffs' Memorandum of Points
21 and Authorities in Opposition to Defendants' Motion to Dismiss the Third Amended Complaint;
22 and (6) Plaintiffs' Reply to Defendants California Reconveyance Company's Request to Dismiss
23 the Third Amended Complaint (and Joinders).

24 3. In addition, the following filings are pending before the Court: (1) Plaintiffs'
25 (Sansotas) Motion for Partial Summary Judgment Against MTC Financial, Inc.; (2) Defendant
26 MTC Financial Inc. dba Trustee Corps' Cross-Motion for Summary Judgment or, in the
27 Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine
28 Sansota; (3) Quality Loan Service Corporation's Motion for Summary Judgment on Amended

1 Complaint; (4) Defendant California Reconveyance Company's Motion for Summary Judgment;
2 (5) Defendant MTC Financial Inc. dba Trustee Corps' Joinder to Quality Loan Service
3 Corporation's Motion for Summary Judgment; (6) Defendant MTC Financial Inc. dba Trustee
4 Corps' Joinder to California Reconveyance Company's Motion for Summary Judgment; and (7)
5 National Default Servicing Corporation's Joinder to California Reconveyance Company's Motion
6 for Summary Judgment.

7 4. After review and consideration of the points and authorities on file herein, the
8 documents and exhibits attached thereto, the oral arguments of counsel on March 14, 2017 and
9 May 4, 2017, and the prior rulings on identical or substantially similar issues presented in *Quality*
10 *Loan Service Corp. v. State of Nevada, Department of Business & Industry, Financial Institutions*
11 *Division*, No. 12A657580, 2013 WL 6911859 (Nev. Dist. Ct. Jan. 3, 2013), the Court finds and
12 concludes as follows:

13 **Procedural History**

14 5. Plaintiffs are current and former homeowners who are or were facing foreclosure
15 or have had their homes foreclosed upon, and Defendants are current or former NRS Chapter 107
16 trustees. Plaintiffs allege two causes of action against Defendants in the Third Amended
17 Complaint. [Third Amended Complaint (3/15/17), ¶¶ 40-55] The first count for consumer fraud
18 under NRS 41.600 alleges that Defendants acted as unlicensed or unregistered collection agencies
19 under Nevada law in violation of NRS 649.075 and/or 649.171, the violation of which constitutes
20 a deceptive trade practice under NRS Chapter 598. [*Id.*, ¶¶ 42, 44] According to the Third
21 Amended Complaint, as a result of these unlicensed collection agency activities, Defendants
22 received illicit revenue and profits. [*Id.*, ¶ 42] As a result of Defendants' alleged acts of
23 consumer fraud, Plaintiffs request general damages, special damages, punitive damages, and
24 attorneys' fees. [*Id.*, ¶¶ 46-48]

25 6. The second count for unjust enrichment alleges that Plaintiffs never entered into a
26 contract with Defendants. [*Id.*, ¶ 49] Like the first count, the second count alleges that
27 Defendants pursued unlicensed collection agency activities against Plaintiffs. [*Id.*, ¶ 50] As a
28 result of these activities, Plaintiffs allege that Defendants were unjustly enriched with substantial

1 payments for their illegal and improper collection agency activities. [*Id.*, ¶ 52] Plaintiffs ask that
2 Defendants disgorge any benefits that Defendants obtained from their alleged deceptive trade
3 practices. [*Id.*] Plaintiffs also ask for general damages, special damages, and attorneys' fees.
4 [*Id.*, ¶¶ 54-55]

5 7. This case has followed a lengthy procedural path complicated by the tragic loss of
6 the Honorable Susan Scann. Distilled to its essence, on November 25, 2015, Plaintiffs filed their
7 Second Amended Complaint against Defendants, alleging causes of action for consumer fraud,
8 unjust enrichment, and elder abuse (against Defendants Meridian Foreclosure Service and
9 California Reconveyance Company only). [Second Amended Complaint (11/25/15)] On
10 December 18, 2015, Defendants filed a joint motion to dismiss Plaintiffs' Second Amended
11 Complaint. [Defendants' Joint Motion to Dismiss Plaintiffs' Second Amended Complaint
12 (12/18/15)] Defendant MTC Financial Inc. dba Trustee Corps filed a joinder in Defendants'
13 motion to dismiss. [Defendant MTC Financial Inc. dba Trustee Corps' Joinder in Defendants'
14 Joint Motion to Dismiss Plaintiffs' Second Amended Complaint; Supplemental Memorandum of
15 Points and Authorities in Support Thereof (12/18/15)] Plaintiffs filed their opposition to
16 Defendants' motion to dismiss on January 18, 2016. [Plaintiffs' Opposition to Defendants' Joint
17 Motion to Dismiss Plaintiffs' Second Amended Complaint (1/18/16)] On February 5, 2016,
18 Defendants filed their joint reply, in which MTC Financial, Inc. joined in a separate filing.
19 [Defendants' Joint Reply in Support of Defendants' Joint Motion to Dismiss Plaintiffs' Second
20 Amended Complaint (2/5/16); Defendant MTC Financial Inc. dba Trustee Corps' Joinder In
21 Defendants' Joint Reply in Support of Defendants' Joint Motion to Dismiss Plaintiffs' Second
22 Amended Complaint; Supplemental Memorandum of Points and Authorities in Support Thereof
23 (2/5/16)]

24 8. On February 22, 2016, Judge Scann conducted a hearing on Defendants' pending
25 motion to dismiss. Judge Scann orally granted the motion to dismiss the count for elder abuse,
26 but denied the motion as to the counts for statutory consumer fraud and unjust enrichment.
27 [Transcript re: Defendants' Joint Motion to Dismiss Plaintiffs' Second Amended Complaint
28

1 (2/22/16) at 30:20-22] Judge Scann passed away on July 16, 2016. No order was signed or
2 entered with respect to Defendants' motion to dismiss.

3 9. The parties proceeded on a phased discovery schedule, with the first phase of
4 discovery focused on the viability of the named Plaintiffs' claims. On December 14, 2016,
5 Plaintiffs filed a motion for leave to file a Third Amended Complaint. [Plaintiffs' Motion for
6 Leave to File Third Amended Complaint (12/14/16)] Before the Court ruled on the motion for
7 leave, Plaintiffs filed a motion for partial summary judgment against Defendant MTC Financial,
8 Inc. [Plaintiffs' (Sansotas) Motion for Partial Summary Judgment Against MTC Financial, Inc.
9 (2/6/17)] Defendant MTC Financial, Inc. cross-moved for summary judgment against Plaintiffs.
10 [Defendant MTC Financial Inc. dba Trustee Corps' Cross-Motion for Summary Judgment or, in
11 the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine
12 Sansota; Declaration of Allan E. Ceran in Support Thereof (2/24/17)] On March 14, 2017, the
13 Court entered an order granting Plaintiffs' motion for leave to file the Third Amended Complaint.

14 10. At the hearing on March 14, 2017, the Court indicated that, following a review of
15 the case record, it was inclined to dismiss the case. [TR (3/14/17) at 3:15-4:10, 5:7-25, 27:1-6,
16 31:6-8] At Plaintiffs' request, the Court invited supplemental briefing from the parties on the
17 core legal issues. [*Id.* at 24:24-25:15, 31:7-8, 31:18-33:1, 36:1-23] All parties agreed to the
18 submission of supplemental briefing. [*Id.* at 40:12-21] The Court also stayed discovery pending
19 a hearing it set for May 4, 2017. [*Id.* at 44:20-22] In addition to submitting supplemental
20 briefing, Defendant Quality Loan Service Corporation filed a motion to dismiss the Third
21 Amended Complaint or in the alternative motion for summary judgment and multiple Defendants
22 filed motions for summary judgment.

23 Analysis

24 I. TRUSTEES ARE SUBJECT TO NRS CHAPTER 107 AND DO NOT NEED TO BE 25 LICENSED AS COLLECTION AGENCIES.

26 11. NRS 107 is the statutory scheme directed towards deeds of trust and trustees acting
27 under deeds of trust. NRS 107. [TR (5/4/17) at 3:6-7] A trustee under a deed of trust is
28 empowered by statute and contract to perform a number of duties in order to accomplish a non-

1 judicial foreclosure and receives various protections in the performance of its duties. *See* NRS
2 107.015 *et seq*; TR (3/14/17) at 5:7-12, 8:17-18, 19:5-10, 27:20-25. NRS 107 is not silent on
3 licensing. [TR (5/4/17) at 3:6-12; *e.g.*, NRS 107.028(1) (providing ten categories of those who
4 may serve as a non-judicial foreclosure trustee)]

5 12. Deeds of trust are unique in nature. [TR (5/4/17) at 14:5-6] A deed of trust is a
6 three-party contract between the lender, borrower, and trustee. The deed of trust is, by itself, a
7 protected property right and confers legal title to the subject property upon the trustee, which title
8 is a real property interest in the subject property. [TR (5/4/17) at 2:22-25, 14:5-9] When a trustee
9 takes actions directed at foreclosure, sale of the property, or reinstatement or payoff of the
10 underlying loan obligation by the borrower, the trustee is exercising its interest in the real
11 property. [*See* TR (3/14/17) at 5:13-16, 19:5-10] Such actions by a trustee pursuant to a deed of
12 trust and NRS 107 are different than actions by a collection agency pursuant to NRS 649. [TR
13 (5/4/17) at 14:10-15]

14 13. NRS 649 is the statutory scheme regulating collection agencies. NRS 649
15 recognizes the difference between debt collection and the exercise of real property interests under
16 deeds of trust. *Id.* at 36:4-13; *In re Nev. State Engineer Ruling No. 5823*, 128 Nev. Adv. Op. 22,
17 277 P.3d 449, 453 (2012) (“The starting point in statutory construction is to read and examine the
18 text of the act and draw inferences concerning the meaning from its composition and structure”)
19 (quoting 2A Norman J. Singer & J.D. Shambie Singer, *Statutes and Statutory Construction* §
20 47:1, at 274-75 (7th ed. 2007)). The only act of non-judicial foreclosure referenced in Chapter
21 649 is the foreclosure of an assessment lien by a “community manager”—an entity the legislature
22 specifically included in the definition of “collection agency”—related to management of a
23 common-interest community like a homeowners’ association or the management of an association
24 relating to a condominium hotel. NRS 649.020(3)(a); TR (5/4/17) at 5:1-9, 14:14-15:8. By
25 including this special addendum, the legislature expressed both its understanding that non-judicial
26 foreclosure is not claim collection and its intention to make only one type of non-judicial
27 foreclosure subject to collection agency regulation. *Cramer v. State Dep’t of Motor Vehicles*, 126
28 Nev. 388, 394, 240 P.3d 8, 12 (2010) (applying presumption that “the expression of one thing is

1 the exclusion of another”) (citations omitted). Unlike a trustee under a deed of trust, a
2 community manager foreclosing an assessment lien does not own or have a real property interest
3 in the common-interest community or condominium hotel association. [TR (5/4/17) at 5:1-9,
4 14:14-15:8, 19:15-17] A trustee acting pursuant to a deed of trust is not a collection agency under
5 NRS 649, is not soliciting payment pursuant to NRS 649, is not collecting a debt under NRS 649,
6 and does not need to be licensed or registered as a collection agency. [*Id.* at 5:12-17, 18:16-24;
7 *see also id.* at 5:1-9, 14:14-15:8]

8 14. The acts allegedly performed by Defendants in the Third Amended Complaint are
9 authorized by the deed of trust and the plain language of NRS Chapter 107. Indeed, contacting
10 borrowers, providing information regarding payment of money under the deed of trust, charging
11 costs associated with trustee duties under the deed of trust, and foreclosure of property are within
12 the realm of activities protected by the deed of trust and NRS 107. [TR (3/14/17) at 5:13-16,
13 19:5-10] This Court finds that Plaintiffs’ allegations in the Third Amended Complaint and
14 otherwise are acts taken by Defendants within the scope of the non-judicial foreclosure process as
15 permitted by the deed of trust and NRS Chapter 107. [*Id.* at 4:3-10; TR (5/4/17) at 10:1-3]

16 15. Like our sister court’s decision in *Quality Loan*, this Court finds that enforcing a
17 security interest in real property through the non-judicial foreclosure process as alleged in the
18 Third Amended Complaint and as outlined by NRS Chapter 107 is not the collection or
19 solicitation of payment of a claim. NRS 649.010 (defining “[c]laim” as “any obligation for the
20 payment of money or its equivalent that is past due”); TR (5/4/17) at 5:7-16. Defendants are not
21 collection agencies as a matter of law. NRS 649.020(1) (defining “[c]ollection agency”).
22 Accordingly, Defendants are not required to obtain a collection agency license or certificate of
23 registration under NRS Chapter 649 in order to perform the acts alleged in the Third Amended
24 Complaint because they fall within the ambit of NRS Chapter 107. [TR (3/14/17) at 4:3-10; TR
25 (5/4/17) at 36:4-13]

26 16. In addition, under multiple statutes, enforcement of security interests in real
27 property does not constitute doing business in the State of Nevada. NRS 80.015(1)(h); NRS
28 86.5483 (1)(h); NRS 87A.615(1)(h); *see also Bruce v. Homefield Fin., Inc.*, No. 2:10-CV-2164-

1 KJD-PAL, 2011 WL 4479736, at *2 (D. Nev. Sept. 23, 2011) (dismissing fraud claim alleging
2 license or registration was required to record assignment of deed of trust). [TR (5/4/17) at 3:13-
3 4:18; 36:4-13] That trustees do not need to be registered pursuant to these statutes lends further
4 support to the Court's determination that trustees acting relating to a deed of trust need not be
5 licensed or registered as collection agencies pursuant to NRS 649. [*Id.* at 4:19-24, 36:4-13]

6 17. In addition, the so-called "mini-Miranda" warnings contained in various
7 documents, including publicly recorded notices of default, do not transform trustees into
8 collection agencies under Nevada law. *Ho v. ReconTrust Company, NA*, 840 F.3d 618, 623 n.7
9 (9th Cir. 2016) (holding the mini-Miranda "disclaimer isn't sufficient to show that ReconTrust is
10 a debt collector" and finding "[d]ebt collector isn't an elective category. It's determined
11 objectively, based on the activities of the entity in question"). [TR (5/4/17) at 36:4-13]¹

12 18. In addition, counsel for Plaintiffs conceded at oral argument that, if a trustee takes
13 no action with respect to a borrower other than issuing a notice of default or breach or exercising
14 the power of sale, than the trustee's actions are "within 107." [*Id.* at 13:16-19]

15 19. Consequently, as a matter of law, Plaintiffs' claims for consumer fraud and unjust
16 enrichment contained in the Third Amended Complaint are dismissed as follows [*see id.* at 6:20-
17 22, 30:10-16, 36:14-16, 38:15-17]:

18 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Count I of Plaintiffs'
19 Third Amended Complaint is DISMISSED with prejudice as a matter of law as to all Defendants.
20 The acts allegedly performed by the Defendants in the Third Amended Complaint are authorized
21 by the deeds of trust and plain language of NRS Chapter 107, which governs the conduct of
22 trustees under deeds of trust. As a matter of law, trustees under deeds of trust that engage in non-
23 judicial foreclosure activities permitted under NRS Chapter 107 are not collecting debts, are not
24 collection agencies, and are not subject to Nevada licensing or registration requirements for
25 collection agencies.

26
27
28 ¹ The Court also finds unpersuasive the various FDCPA cases cited by Plaintiffs from
beyond Nevada and beyond the Ninth Circuit. [*See* TR (5/4/17) at 15:16-18]

1 Accordingly, Count I of the Third Amended Complaint fails as a matter of law and is
2 DISMISSED with prejudice.

3 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Count II of
4 Plaintiffs' Third Amended Complaint is DISMISSED with prejudice as to all Defendants for the
5 reasons stated above.

6 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Plaintiffs' claims
7 against Defendant Meridian Foreclosure Service are *sua sponte* DISMISSED with prejudice for
8 the reasons stated above.

9 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the various
10 motions for summary judgment, the filings related to summary judgment and any hearings in
11 relation to summary judgment are VACATED. Any other motions currently pending are
12 DENIED as moot.

13 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that all other hearings
14 in this case are VACATED.

15 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that judgment is
16 entered in favor of Defendants and Meridian Foreclosure Service on all claims in the Third
17 Amended Complaint and the Third Amended Complaint is hereby DISMISSED.

18 Dated this 6th day of June, 2017.

19
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21 The Honorable William D. Kephart
22 Eighth Judicial District Court Judge
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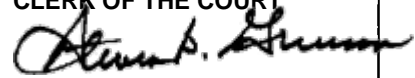
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13 Company

14 [Additional Counsel Listed on Signature Page]

15 **DISTRICT COURT**

16 **CLARK COUNTY, NEVADA**

17 JEFFREY BENKO, a Nevada resident; CAMILO
18 MARTINEZ, a Nevada resident; ANA MARTINEZ,
19 a Nevada resident; FRANK SCINTA, a Nevada
20 resident; JACQUELINE SCINTA, a Nevada
21 resident; SUSAN HJORTH, a Nevada resident;
22 RAYMOND SANSOTA, a Ohio resident;
23 FRANCINE SANSOTA, a Ohio resident; SANDRA
24 KUHN, a Nevada resident; JESUS GOMEZ, a
25 Nevada resident; SILVIA GOMEZ, a Nevada
26 resident; DONNA HERRERA, a Nevada resident;
27 ANTOINETTE GILL, a Nevada resident; JESSE
28 HENNIGAN, a Nevada resident; KIM MOORE, a
Nevada resident; THOMAS MOORE, a Nevada
resident; SUSAN KALLEN, a Nevada resident;
ROBERT MANDARICH, a Nevada resident;
JAMES NICO, a Nevada resident; and PATRICIA
TAGLIAMONTE, a Nevada resident,

Plaintiffs,

vs.

QUALITY LOAN SERVICE CORPORATION, a
California Corporation; MTC FINANCIAL, INC.
dba TRUSTEE CORPS, a California Corporation;
MERIDIAN FORECLOSURE SERVICE, a
California and Nevada Corporation dba MTDS, Inc.,
dba MERIDIAN TRUST DEED SERVICE;
NATIONAL DEFAULT SERVICING
CORPORATION; a Arizona Corporation,
CALIFORNIA RECONVEYANCE COMPANY, a
California Corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: A-11-649857-C
Dept. No.: XIX

**NOTICE OF ENTRY OF
ORDER DISMISSING CASE AS A
MATTER OF LAW AND
DIRECTING JUDGMENT IN
DEFENDANTS' FAVOR IN
CONNECTION WITH
PLAINTIFFS' THIRD AMENDED
COMPLAINT WITH PREJUDICE**

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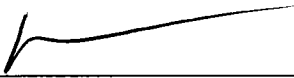
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NOTICE IS HEREBY GIVEN that the Order Dismissing Case As A Matter of Law and Directing Judgment in Defendants' Favor In Connection with Plaintiffs' Third Amended Complaint With Prejudice was entered by the Court on the 7th day of June, 2017.

DATED this 8th day of June, 2017.

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Attorneys for Defendant California Reconveyance Company

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2017, I served a true and correct copy of the foregoing
**NOTICE OF ENTRY OF ORDER DISMISSING CASE AS A MATTER OF LAW AND
DIRECTING JUDGMENT IN DEFENDANTS' FAVOR IN CONNECTION WITH
PLAINTIFFS' THIRD AMENDED COMPLAINT WITH PREJUDICE**, on counsel by e-mail
transmission to the persons listed below, pursuant to EDCR 8.05(a):

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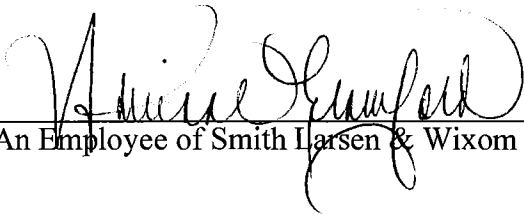
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I hereby certify that on June 8, 2017, I served a true and correct copy of the foregoing
**NOTICE OF ENTRY OF ORDER DISMISSING CASE AS A MATTER OF LAW AND
DIRECTING JUDGMENT IN DEFENDANTS' FAVOR IN CONNECTION WITH
PLAINTIFFS' THIRD AMENDED COMPLAINT WITH PREJUDICE** by First Class Mail
as follows:

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Plaintiff Pro Per

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DISTRICT COURT

CLARK COUNTY, NEVADA

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MARTINEZ, a Nevada resident; ANA MARTINEZ,
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ROBERT MANDARICH, a Nevada resident;
JAMES NICO, a Nevada resident; and PATRICIA
TAGLIAMONTE, a Nevada resident,

Plaintiffs,

vs.

QUALITY LOAN SERVICE CORPORATION, a
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dba TRUSTEE CORPS, a California Corporation;
MERIDIAN FORECLOSURE SERVICE, a
California and Nevada Corporation dba MTDS, Inc.,
dba MERIDIAN TRUST DEED SERVICE;
NATIONAL DEFAULT SERVICING
CORPORATION; a Arizona Corporation,
CALIFORNIA RECONVEYANCE COMPANY, a
California Corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No.: A-11-649857-C
Dept. No.: XIX

**ORDER DISMISSING CASE AS A
MATTER OF LAW AND
DIRECTING JUDGMENT IN
DEFENDANTS' FAVOR
IN CONNECTION WITH
PLAINTIFFS' THIRD AMENDED
COMPLAINT WITH PREJUDICE**

Hearing Date: May 4, 2016
Hearing Time: 9:00 a.m.

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1 1. On May 4, 2017, at 9:00 a.m. in Department XIX, before the Honorable William
2 D. Kephart, Plaintiffs, by and through their counsel, and Defendants California Reconveyance
3 Company, Quality Loan Service Corporation, National Default Servicing Corporation, and MTC
4 Financial Inc. dba Trustee Corps (collectively, "Defendants"), by and through their counsel,
5 appeared before the Court. [Transcript re: Motions Hearing (5/4/17) at 1] The May 4, 2017
6 hearing was a continuation of the hearing on March 14, 2017 regarding whether Plaintiffs had
7 viable claims as a matter of law under the Third Amended Complaint. [Transcript re: All
8 Pending Motions (3/14/17) at 1:5-11] At the March 14, 2017 hearing, the Court invited the
9 parties to submit supplemental briefing based on a schedule it established. [TR (3/14/17) at 27:3-
10 4; 24:24-25:15, 31:7-8, 31:18-33:1]

11 2. The following Court-authorized supplemental briefing is pending before the Court:
12 (1) Plaintiffs' Memorandum of Points and Authorities in Opposition to Defendants' Motion to
13 Dismiss the Third Amended Complaint; (2) Defendant California Reconveyance Company's
14 Response to Plaintiffs' "Memorandum of Points and Authorities in Opposition to Defendants'
15 Motion to Dismiss the Third Amended Complaint;" (3) Objections and Response of Defendant
16 MTC Financial Inc. dba Trustee Corps to Plaintiffs' Supplemental Filing; (4) National Default
17 Servicing Corporation's Joinder to Defendant California Reconveyance Company's Response to
18 Plaintiffs' Memorandum of Points and Authorities in Opposition to Defendants' Motion to
19 Dismiss the Third Amended Complaint; (5) Quality Loan Service Corporation's Joinder to
20 Defendant California Reconveyance Company's Response to Plaintiffs' Memorandum of Points
21 and Authorities in Opposition to Defendants' Motion to Dismiss the Third Amended Complaint;
22 and (6) Plaintiffs' Reply to Defendants California Reconveyance Company's Request to Dismiss
23 the Third Amended Complaint (and Joinders).

24 3. In addition, the following filings are pending before the Court: (1) Plaintiffs'
25 (Sansotas) Motion for Partial Summary Judgment Against MTC Financial, Inc.; (2) Defendant
26 MTC Financial Inc. dba Trustee Corps' Cross-Motion for Summary Judgment or, in the
27 Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine
28 Sansota; (3) Quality Loan Service Corporation's Motion for Summary Judgment on Amended

1 Complaint; (4) Defendant California Reconveyance Company's Motion for Summary Judgment;
2 (5) Defendant MTC Financial Inc. dba Trustee Corps' Joinder to Quality Loan Service
3 Corporation's Motion for Summary Judgment; (6) Defendant MTC Financial Inc. dba Trustee
4 Corps' Joinder to California Reconveyance Company's Motion for Summary Judgment; and (7)
5 National Default Servicing Corporation's Joinder to California Reconveyance Company's Motion
6 for Summary Judgment.

7 4. After review and consideration of the points and authorities on file herein, the
8 documents and exhibits attached thereto, the oral arguments of counsel on March 14, 2017 and
9 May 4, 2017, and the prior rulings on identical or substantially similar issues presented in *Quality*
10 *Loan Service Corp. v. State of Nevada, Department of Business & Industry, Financial Institutions*
11 *Division*, No. 12A657580, 2013 WL 6911859 (Nev. Dist. Ct. Jan. 3, 2013), the Court finds and
12 concludes as follows:

13 Procedural History

14 5. Plaintiffs are current and former homeowners who are or were facing foreclosure
15 or have had their homes foreclosed upon, and Defendants are current or former NRS Chapter 107
16 trustees. Plaintiffs allege two causes of action against Defendants in the Third Amended
17 Complaint. [Third Amended Complaint (3/15/17), ¶¶ 40-55] The first count for consumer fraud
18 under NRS 41.600 alleges that Defendants acted as unlicensed or unregistered collection agencies
19 under Nevada law in violation of NRS 649.075 and/or 649.171, the violation of which constitutes
20 a deceptive trade practice under NRS Chapter 598. [*Id.*, ¶¶ 42, 44] According to the Third
21 Amended Complaint, as a result of these unlicensed collection agency activities, Defendants
22 received illicit revenue and profits. [*Id.*, ¶ 42] As a result of Defendants' alleged acts of
23 consumer fraud, Plaintiffs request general damages, special damages, punitive damages, and
24 attorneys' fees. [*Id.*, ¶¶ 46-48]

25 6. The second count for unjust enrichment alleges that Plaintiffs never entered into a
26 contract with Defendants. [*Id.*, ¶ 49] Like the first count, the second count alleges that
27 Defendants pursued unlicensed collection agency activities against Plaintiffs. [*Id.*, ¶ 50] As a
28 result of these activities, Plaintiffs allege that Defendants were unjustly enriched with substantial

1 payments for their illegal and improper collection agency activities. [*Id.*, ¶ 52] Plaintiffs ask that
2 Defendants disgorge any benefits that Defendants obtained from their alleged deceptive trade
3 practices. [*Id.*] Plaintiffs also ask for general damages, special damages, and attorneys' fees.
4 [*Id.*, ¶¶ 54-55]

5 7. This case has followed a lengthy procedural path complicated by the tragic loss of
6 the Honorable Susan Scann. Distilled to its essence, on November 25, 2015, Plaintiffs filed their
7 Second Amended Complaint against Defendants, alleging causes of action for consumer fraud,
8 unjust enrichment, and elder abuse (against Defendants Meridian Foreclosure Service and
9 California Reconveyance Company only). [Second Amended Complaint (11/25/15)] On
10 December 18, 2015, Defendants filed a joint motion to dismiss Plaintiffs' Second Amended
11 Complaint. [Defendants' Joint Motion to Dismiss Plaintiffs' Second Amended Complaint
12 (12/18/15)] Defendant MTC Financial Inc. dba Trustee Corps filed a joinder in Defendants'
13 motion to dismiss. [Defendant MTC Financial Inc. dba Trustee Corps' Joinder in Defendants'
14 Joint Motion to Dismiss Plaintiffs' Second Amended Complaint; Supplemental Memorandum of
15 Points and Authorities in Support Thereof (12/18/15)] Plaintiffs filed their opposition to
16 Defendants' motion to dismiss on January 18, 2016. [Plaintiffs' Opposition to Defendants' Joint
17 Motion to Dismiss Plaintiffs' Second Amended Complaint (1/18/16)] On February 5, 2016,
18 Defendants filed their joint reply, in which MTC Financial, Inc. joined in a separate filing.
19 [Defendants' Joint Reply in Support of Defendants' Joint Motion to Dismiss Plaintiffs' Second
20 Amended Complaint (2/5/16); Defendant MTC Financial Inc. dba Trustee Corps' Joinder In
21 Defendants' Joint Reply in Support of Defendants' Joint Motion to Dismiss Plaintiffs' Second
22 Amended Complaint; Supplemental Memorandum of Points and Authorities in Support Thereof
23 (2/5/16)]

24 8. On February 22, 2016, Judge Scann conducted a hearing on Defendants' pending
25 motion to dismiss. Judge Scann orally granted the motion to dismiss the count for elder abuse,
26 but denied the motion as to the counts for statutory consumer fraud and unjust enrichment.
27 [Transcript re: Defendants' Joint Motion to Dismiss Plaintiffs' Second Amended Complaint
28

(2/22/16) at 30:20-22] Judge Scann passed away on July 16, 2016. No order was signed or entered with respect to Defendants' motion to dismiss.

9. The parties proceeded on a phased discovery schedule, with the first phase of discovery focused on the viability of the named Plaintiffs' claims. On December 14, 2016, Plaintiffs filed a motion for leave to file a Third Amended Complaint. [Plaintiffs' Motion for Leave to File Third Amended Complaint (12/14/16)] Before the Court ruled on the motion for leave, Plaintiffs filed a motion for partial summary judgment against Defendant MTC Financial, Inc. [Plaintiffs' (Sansotas) Motion for Partial Summary Judgment Against MTC Financial, Inc. (2/6/17)] Defendant MTC Financial, Inc. cross-moved for summary judgment against Plaintiffs. [Defendant MTC Financial Inc. dba Trustee Corps' Cross-Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment Against Plaintiffs Raymond Sansota and Francine Sansota; Declaration of Allan E. Ceran in Support Thereof (2/24/17)] On March 14, 2017, the Court entered an order granting Plaintiffs' motion for leave to file the Third Amended Complaint.

10. At the hearing on March 14, 2017, the Court indicated that, following a review of the case record, it was inclined to dismiss the case. [TR (3/14/17) at 3:15-4:10, 5:7-25, 27:1-6, 31:6-8] At Plaintiffs' request, the Court invited supplemental briefing from the parties on the core legal issues. [*Id.* at 24:24-25:15, 31:7-8, 31:18-33:1, 36:1-23] All parties agreed to the submission of supplemental briefing. [*Id.* at 40:12-21] The Court also stayed discovery pending a hearing it set for May 4, 2017. [*Id.* at 44:20-22] In addition to submitting supplemental briefing, Defendant Quality Loan Service Corporation filed a motion to dismiss the Third Amended Complaint or in the alternative motion for summary judgment and multiple Defendants filed motions for summary judgment.

Analysis

I. TRUSTEES ARE SUBJECT TO NRS CHAPTER 107 AND DO NOT NEED TO BE LICENSED AS COLLECTION AGENCIES.

11. NRS 107 is the statutory scheme directed towards deeds of trust and trustees acting under deeds of trust. NRS 107. [TR (5/4/17) at 3:6-7] A trustee under a deed of trust is empowered by statute and contract to perform a number of duties in order to accomplish a non-

1 judicial foreclosure and receives various protections in the performance of its duties. *See* NRS
2 107.015 *et seq*; TR (3/14/17) at 5:7-12, 8:17-18, 19:5-10, 27:20-25. NRS 107 is not silent on
3 licensing. [TR (5/4/17) at 3:6-12; *e.g.*, NRS 107.028(1) (providing ten categories of those who
4 may serve as a non-judicial foreclosure trustee)]

5 12. Deeds of trust are unique in nature. [TR (5/4/17) at 14:5-6] A deed of trust is a
6 three-party contract between the lender, borrower, and trustee. The deed of trust is, by itself, a
7 protected property right and confers legal title to the subject property upon the trustee, which title
8 is a real property interest in the subject property. [TR (5/4/17) at 2:22-25, 14:5-9] When a trustee
9 takes actions directed at foreclosure, sale of the property, or reinstatement or payoff of the
10 underlying loan obligation by the borrower, the trustee is exercising its interest in the real
11 property. [*See* TR (3/14/17) at 5:13-16, 19:5-10] Such actions by a trustee pursuant to a deed of
12 trust and NRS 107 are different than actions by a collection agency pursuant to NRS 649. [TR
13 (5/4/17) at 14:10-15]

14 13. NRS 649 is the statutory scheme regulating collection agencies. NRS 649
15 recognizes the difference between debt collection and the exercise of real property interests under
16 deeds of trust. *Id.* at 36:4-13; *In re Nev. State Engineer Ruling No. 5823*, 128 Nev. Adv. Op. 22,
17 277 P.3d 449, 453 (2012) (“The starting point in statutory construction is to read and examine the
18 text of the act and draw inferences concerning the meaning from its composition and structure”)
19 (quoting 2A Norman J. Singer & J.D. Shambie Singer, *Statutes and Statutory Construction* §
20 47:1, at 274-75 (7th ed. 2007)). The only act of non-judicial foreclosure referenced in Chapter
21 649 is the foreclosure of an assessment lien by a “community manager”—an entity the legislature
22 specifically included in the definition of “collection agency”—related to management of a
23 common-interest community like a homeowners’ association or the management of an association
24 relating to a condominium hotel. NRS 649.020(3)(a); TR (5/4/17) at 5:1-9, 14:14-15:8. By
25 including this special addendum, the legislature expressed both its understanding that non-judicial
26 foreclosure is not claim collection and its intention to make only one type of non-judicial
27 foreclosure subject to collection agency regulation. *Cramer v. State Dep’t of Motor Vehicles*, 126
28 Nev. 388, 394, 240 P.3d 8, 12 (2010) (applying presumption that “the expression of one thing is

1 the exclusion of another”) (citations omitted). Unlike a trustee under a deed of trust, a
2 community manager foreclosing an assessment lien does not own or have a real property interest
3 in the common-interest community or condominium hotel association. [TR (5/4/17) at 5:1-9,
4 14:14-15:8, 19:15-17] A trustee acting pursuant to a deed of trust is not a collection agency under
5 NRS 649, is not soliciting payment pursuant to NRS 649, is not collecting a debt under NRS 649,
6 and does not need to be licensed or registered as a collection agency. [*Id.* at 5:12-17, 18:16-24;
7 *see also id.* at 5:1-9, 14:14-15:8]

8 14. The acts allegedly performed by Defendants in the Third Amended Complaint are
9 authorized by the deed of trust and the plain language of NRS Chapter 107. Indeed, contacting
10 borrowers, providing information regarding payment of money under the deed of trust, charging
11 costs associated with trustee duties under the deed of trust, and foreclosure of property are within
12 the realm of activities protected by the deed of trust and NRS 107. [TR (3/14/17) at 5:13-16,
13 19:5-10] This Court finds that Plaintiffs’ allegations in the Third Amended Complaint and
14 otherwise are acts taken by Defendants within the scope of the non-judicial foreclosure process as
15 permitted by the deed of trust and NRS Chapter 107. [*Id.* at 4:3-10; TR (5/4/17) at 10:1-3]

16 15. Like our sister court’s decision in *Quality Loan*, this Court finds that enforcing a
17 security interest in real property through the non-judicial foreclosure process as alleged in the
18 Third Amended Complaint and as outlined by NRS Chapter 107 is not the collection or
19 solicitation of payment of a claim. NRS 649.010 (defining “[c]laim” as “any obligation for the
20 payment of money or its equivalent that is past due”); TR (5/4/17) at 5:7-16. Defendants are not
21 collection agencies as a matter of law. NRS 649.020(1) (defining “[c]ollection agency”).
22 Accordingly, Defendants are not required to obtain a collection agency license or certificate of
23 registration under NRS Chapter 649 in order to perform the acts alleged in the Third Amended
24 Complaint because they fall within the ambit of NRS Chapter 107. [TR (3/14/17) at 4:3-10; TR
25 (5/4/17) at 36:4-13]

26 16. In addition, under multiple statutes, enforcement of security interests in real
27 property does not constitute doing business in the State of Nevada. NRS 80.015(1)(h); NRS
28 86.5483 (1)(h); NRS 87A.615(1)(h); *see also Bruce v. Homefield Fin., Inc.*, No. 2:10-CV-2164-

1 KJD-PAL, 2011 WL 4479736, at *2 (D. Nev. Sept. 23, 2011) (dismissing fraud claim alleging
2 license or registration was required to record assignment of deed of trust). [TR (5/4/17) at 3:13-
3 4:18; 36:4-13] That trustees do not need to be registered pursuant to these statutes lends further
4 support to the Court's determination that trustees acting relating to a deed of trust need not be
5 licensed or registered as collection agencies pursuant to NRS 649. [*Id.* at 4:19-24, 36:4-13]

6 17. In addition, the so-called "mini-Miranda" warnings contained in various
7 documents, including publicly recorded notices of default, do not transform trustees into
8 collection agencies under Nevada law. *Ho v. ReconTrust Company, NA*, 840 F.3d 618, 623 n.7
9 (9th Cir. 2016) (holding the mini-Miranda "disclaimer isn't sufficient to show that ReconTrust is
10 a debt collector" and finding "[d]ebt collector isn't an elective category. It's determined
11 objectively, based on the activities of the entity in question"). [TR (5/4/17) at 36:4-13]¹

12 18. In addition, counsel for Plaintiffs conceded at oral argument that, if a trustee takes
13 no action with respect to a borrower other than issuing a notice of default or breach or exercising
14 the power of sale, than the trustee's actions are "within 107." [*Id.* at 13:16-19]

15 19. Consequently, as a matter of law, Plaintiffs' claims for consumer fraud and unjust
16 enrichment contained in the Third Amended Complaint are dismissed as follows [*see id.* at 6:20-
17 22, 30:10-16, 36:14-16, 38:15-17]:

18 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that Count I of Plaintiffs'
19 Third Amended Complaint is DISMISSED with prejudice as a matter of law as to all Defendants.
20 The acts allegedly performed by the Defendants in the Third Amended Complaint are authorized
21 by the deeds of trust and plain language of NRS Chapter 107, which governs the conduct of
22 trustees under deeds of trust. As a matter of law, trustees under deeds of trust that engage in non-
23 judicial foreclosure activities permitted under NRS Chapter 107 are not collecting debts, are not
24 collection agencies, and are not subject to Nevada licensing or registration requirements for
25 collection agencies.

26
27
28 ¹ The Court also finds unpersuasive the various FDCPA cases cited by Plaintiffs from
beyond Nevada and beyond the Ninth Circuit. [*See* TR (5/4/17) at 15:16-18]

1 Accordingly, Count I of the Third Amended Complaint fails as a matter of law and is
2 DISMISSED with prejudice.

3 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Count II of
4 Plaintiffs' Third Amended Complaint is DISMISSED with prejudice as to all Defendants for the
5 reasons stated above.

6 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Plaintiffs' claims
7 against Defendant Meridian Foreclosure Service are *sua sponte* DISMISSED with prejudice for
8 the reasons stated above.

9 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the various
10 motions for summary judgment, the filings related to summary judgment and any hearings in
11 relation to summary judgment are VACATED. Any other motions currently pending are
12 DENIED as moot.

13 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that all other hearings
14 in this case are VACATED.

15 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that judgment is
16 entered in favor of Defendants and Meridian Foreclosure Service on all claims in the Third
17 Amended Complaint and the Third Amended Complaint is hereby DISMISSED.

18 Dated this 6th day of June, 2017.

19
20 

21 The Honorable William D. Kephart
22 Eighth Judicial District Court Judge
23
24
25
26
27
28

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

November 16, 2015

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

November 16, 2015 9:30 AM Status Check

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Katrina Hernandez

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Boylan, Nicholas A.	Attorney
	Christopher, Shawn	Attorney
	Gill, Antoinette	Plaintiff
	Schuler-Hintz, Kristin A., ESQ	Attorney
	Weber, Katie M.	Attorney

JOURNAL ENTRIES

- Also present: Michael Brooks, Esq. on behalf of Meridian Foreclosure Services and Matt Dayton, Esq. on behalf of National Default Servicing Corporation.

Mr. Boylan noted the history of the case in Federal Court; advised Plaintiffs wish to file a Second Amended Complaint while Defendants plan to file a motion to dismiss; and requested an early case conference and discovery. Further colloquy regarding the Federal Court case and discovery. COURT ORDERED, Second Amended Complaint due by 11/19/15; Motion to Dismiss to be filed by 12/18/15; Opposition due by 1/15/16; Reply by 2/1/16; and matter SET for Hearing.

2/22/15 10:00 AM DEFENDANTS MOTION TO DISMISS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

January 06, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

January 06, 2016 3:00 AM All Pending Motions

HEARD BY: Scann, Susan

COURTROOM: RJC Courtroom 03D

COURT CLERK: Katrina Hernandez

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- DEFENDANT CALIFORNIA RECONVEYANCE COMPANY S MOTION TO ASSOCIATE LAWRENCE GUNNAR SCARBOROUGH, ESQ., AND JESSICA RAE MAZIARZ, ESQ
.DEFENDANT CALIFORNIA RECONVEYANCE COMPANY S MOTION TO ASSOCIATE SARAH BETH BURWICK, ESQ.

This Court, having reviewed the submitted papers and noting no opposition, hereby GRANTS Defendant California Reconveyance Company s Motion to Associate Lawrence Gunnar Scarborough, Esq., and Jessica Rae Maziarz, Esq., and Defendant California Reconveyance Company s Motion to Associate Sarah Beth Burwick, Esq., as said Applications meet all of the requirements of Nevada Supreme Court Rule 42. Attorney Kent F. Larsen, Bar #3463, shall prepare the Order within 10 days. Attorney Kent F. Larsen shall notify the Nevada State Bar of this Court s decision and all prior admissions.

*CLERK S NOTE: A copy of the above Minute Order was distributed via e-service master list./kh 1-7-16

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

February 22, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

February 22, 2016 10:00 AM All Pending Motions

HEARD BY: Scann, Susan **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Katrina Hernandez

RECORDER: Angie Calvillo

REPORTER:

PARTIES

PRESENT:	Boylan, Nicholas A.	Attorney
	Christopher, Shawn	Attorney
	Maziarz, Jessica R.	Attorney
	Reynolds, Richard J., ESQ	Attorney
	Scarborough, Lawrence	Attorney
	Schuler-Hintz, Kristin A., ESQ	Attorney
	Weber, Katie M.	Attorney

JOURNAL ENTRIES

- Also present: Kevin Soderstrom on behalf of National Default Servicing Corporation and Shaun Rose, Esq. on behalf of Meridian Foreclosure Service.

Arguments by Ms. Scarborough in support of Defendant's motion to dismiss. Arguments by Mr. Reynolds in support of Defendant MTC Financial's joinder. Court advised it reviewed the Second Amended Complaint and noted the issues. Arguments by Mr. Boylan in opposition of Defendant's motion. Further arguments by Counsel. Court stated its findings and ORDERED, Claim #3, elder abuse, DISMISSED. Court stated further findings and FURTHER ORDERED, as to the first and second claim for relief, DENIED WITHOUT PREJUDICE. Further arguments by Mr. Scarborough requesting the Court dismiss the unjust enrichment claim. Further arguments by Ms. Schuler-Hintz on collateral estoppel. Further arguments by Counsel. Court stated its order STANDS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

July 20, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

July 20, 2016 9:00 AM All Pending Motions

HEARD BY: Bulla, Bonnie **COURTROOM:** RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER: Francesca Haak

REPORTER:

PARTIES

PRESENT:	Boylan, Nicholas A.	Attorney
	Christopher, Shawn	Attorney
	Maziarz, Jessica R.	Attorney
	Reynolds, Richard J., ESQ	Attorney
	Scarborough, Lawrence	Attorney
	Schuler-Hintz, Kristin A., ESQ	Attorney
	Weber, Katie M.	Attorney

JOURNAL ENTRIES

- Deft, MTC Financial Inc. dba Trustee Corps Motion to Bifurcate and Limit Discovery to Named Plaintiffs in Initial Phase of Discovery; and Joinder to Defts Joint Motion to Bifurcate and Limit Discovery to Named Plaintiffs in the Initial Phase of Discovery Defts' Joint Motion to Bifurcate and Limit Discovery to Named Plaintiffs in Initial Phase of Discovery

Deft MTC Financial Inc. dba Trustee Corps Motion for Protective Order Vacating and Limited Plaintiffs Notices of Deposition and Joinder to Defts Joint Motion for Protective Order Vacating Plaintiffs Notices of Depositions of Defts Person or Persons Most Knowledgeable Defts' Joint Motion for Protective Order Vacating Plaintiffs Notices of Depositions of Defts Person or Persons Most Knowledgeable

Discovery Conference (Scheduling Order will issue)

Commissioner inquired when is the earliest possible date the case must be tried by. Mr. Scarborough estimated late 2017 or early 2018. Commissioner questioned if the Five Year Rule has already run. Commissioner required the parties Stipulate to the date on the record today. Argument by Ms. Schuler-Hintz. MATTER TRAILED AND RECALLED: All counsel Stipulated on the record the earliest possible date the Five Year Statute could run is March 1, 2019. COMMISSIONER RECOMMENDED, counsel must follow up with a written Stipulation. Colloquy re: Meridian Foreclosure Service is defunct.

MATTER TRAILED AND RECALLED: Commissioner and the Court are working on procedural issues based on recent circumstances. Counsel submitted competing Orders, and the Order wasn't signed. Colloquy re: Summary Judgment Motions filed in October; discussion re: there may be a legal issue that precludes Pltf from proceeding in the case. Colloquy re: Phases of discovery, and deadlines needed. Colloquy re: the issue is whether or not Pltfs have legal claims under Nevada Law, and specifically as it relates to these Foreclosure Entities acting as credit collection entities. Arguments by counsel. Commissioner addressed Rule 26(g). Counsel have upcoming trips out of the country.

COMMISSIONER RECOMMENDED, Deft, MTC Financial Inc. dba Trustee Corps Motion to Bifurcate and Limit Discovery to Named Plaintiffs in Initial Phase of Discovery; and Joinder to Defts' Joint Motion to Bifurcate and Limit Discovery to Named Plaintiffs in the Initial Phase of Discovery is GRANTED within parameters; Defts' Joint Motion is GRANTED within parameters. COMMISSIONER RECOMMENDED, Phase One discovery is needed in order to make a legal determination as to the validity of Pltfs' claims.

COMMISSIONER RECOMMENDED, Deft MTC Financial Inc. dba Trustee Corps Motion for Protective Order Vacating and Limited Plaintiffs' Notices of Deposition and Joinder to Defts' Joint Motion for Protective Order Vacating Plaintiffs' Notices of Depositions of Defts' Person or Persons Most Knowledgeable is GRANTED IN PART; Defts' Joint Motion is GRANTED IN PART; Deft can take Pltfs' depositions if necessary, and Commissioner REQUIRED Defts respond to written discovery, and take 30(b)(6) depositions. Colloquy. COMMISSIONER RECOMMENDED, Motion and Joinders are DENIED IN PART in that class certification discovery is DEFERRED to the Second Phase. Commissioner addressed Rule 16.1 and Rule 37 sanctions; discussion re: if lists exist on Foreclosures in Nevada.

COMMISSIONER RECOMMENDED, Phase One (validity of claims) - discovery cutoff is 11/1/16; FILE dispositive motions by 11/30/16; Phase Two (Class discovery) - discovery cutoff is 6/1/17; adding parties, amended pleadings, and initial expert disclosures DUE 3/1/17; rebuttal expert disclosures DUE 3/31/17; FILE Motion for Class Certification by 7/3/17.

COMMISSIONER RECOMMENDED, Phase Three (merit discovery) - discovery cutoff is 12/8/17; adding parties, amended pleadings, and initial expert disclosures DUE 9/8/17; rebuttal expert disclosures DUE 10/9/17; FILE dispositive motions by 1/8/18; Trial ready 3/5/18. Scheduling Order will issue.

DISCOVERY CONFERENCE - Counsel anticipate 3 to 4 weeks for Trial re: Fraud / Unjust Enrichment; no Settlement Conference requested, however, at a later time, Commissioner will send counsel to a Mandatory Settlement Conference.

COMMISSIONER RECOMMENDED, Motion and Joinders to Bifurcate and Limit Discovery are GRANTED WITH THE CAVEAT that Commissioner EXPECTS COMPLIANCE with Rule 16.1, witnesses who may have knowledge including from Pltfs' perspective are DISCLOSED, and Defense counsel MUST ANSWER QUESTIONS re: policies and procedures re: collection activities, or how they contacted people who used their services. COMMISSIONER RECOMMENDED, Interrogatories must be answered 1) how many people were sent a collection letter, 2) how many collection letters were sent out in the State of Nevada, and 3) or explain what was done (if too burdensome, bring a Motion).

Mr. Boylan requested Commissioner look at 4 items before counsel return; 1) Glaser versus Chase Homes Financial (6th Circuit 704 Fed. 3rd, 453), 2) Wilson versus Draper and Goldberg (443 Fed. 3rd 373), 3) Decision from Alaska Supreme Court (provided to Marshal), and 4) Commissioner Burns' Decision in the QLS matter.

Ms. Schuler-Hintz provided Judge Williams' Decision to the Marshal in Open Court. Arguments by counsel. Commissioner DISCLOSED Commissioner Bulla and Judge Williams worked for years in the Neil Galatz Law Office. COMMISSIONER RECOMMENDED, Status Check SET; Commissioner does take conference calls including issues with depositions. Commissioner advised counsel read cases 1) Coyote Springs case, 2) the Akada case re: location of depositions, and 3) the Bahena case.

Mr. Boylan to prepare the Report and Recommendations, and counsel to approve as to form and content. A proper report must be timely submitted within 20 days of the hearing. Otherwise, counsel will pay a contribution. Mr. Boylan to appear at status check hearing to report on the

Report and Recommendations.

8/26/16 11:00 a.m. Status Check: Compliance

10/12/16 10:00 a.m. Status Check: Phase One Discovery

CLERK'S NOTE: Minutes amended 8-9-16 to reflect case is Trial ready 3/5/18. JL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

July 27, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

**July 27, 2016 3:00 AM Motion to Withdraw as
Counsel**

HEARD BY: Ames, Jack B.

COURTROOM: RJC Courtroom 03D

COURT CLERK: Katrina Hernandez

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Having considered Michael R. Brooks, Esq. s Motion to Withdraw as Attorney of Record, and noting no opposition thereto, this Court hereby GRANTS said Motion. Attorney Brooks to prepare the Order within 10 days. The Order shall include the Name, Last Known Address, and Last Known Telephone Number of Defendant Meridian Foreclosure Service f/k/a MTDS, Inc. d/b/a Meridian Trust Deed Service, and include future hearing dates.

*CLERK'S NOTE: The above Minute Order was distributed via electronic mail to:
mbrooks@brookshubley.com./kh 8-10-16

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

September 21, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

September 21, 2016 9:30 AM All Pending Motions

HEARD BY: Bulla, Bonnie **COURTROOM:** RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER: Francesca Haak

REPORTER:

PARTIES

PRESENT: Boylan, Nicholas A. Attorney
 Christopher, Shawn Attorney
 Maziarz, Jessica R. Attorney
 Scarborough, Lawrence Attorney
 Soderstrom, Kevin Attorney
 Weber, Katie M. Attorney

JOURNAL ENTRIES

- Re-Notice of Plaintiffs' Motion to Compel and for Sanctions Against Defendant NDSC (Depositions, Written Discovery, NRCP 16.1 Disclosures)

Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant MTC (Written Discovery)

Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant MTC (Depositions)

Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant MTC (NRCP 16.1 Disclosures)

Plaintiffs' Motion to Compel and Sanctions Against Defendant QLS (Depositions)

Plaintiffs' Motion to Compel for Sanctions Against Defendant QLS (Written Discovery)

Plaintiffs' Notice of Motion to Compel and for Sanctions Against Defendants QLS (NRCP 16.1

Disclosures)

Defendants' Joint Motion for Entry of Confidentiality Order and Motion for OST

Colloquy re: Report and Recommendations from the July 20, 2016 hearing. Commissioner reviewed the Draft Orders submitted by counsel, and neither Order mentioned discovery parameters. Deft's Report and Recommendation discussed. Argument by Mr. Scarborough. MATTER TRAILED AND RECALLED. Commissioner has no log entry of Deft's Report and Recommendation. Commissioner agrees counsel can reference Transcript in Report and Recommendation (do not attach Transcript to Report and Rec.) Commissioner advised counsel of new electronic procedures concerning submission of Report and Recommendations.

Commissioner requested Mr. Boylan reconsider signing Deft's Report and Recommendation. Colloquy re: Commissioner's intent in the prior hearing. Argument by Mr. Boylan. Commissioner advised Mr. Boylan to file an appropriate Motion with the District Court Judge. Colloquy re: Deft producing complaint logs or attorney call logs. At this point, Commissioner is not asking Defts to pull out contact information and financial information from databases.

Commissioner will consider Subpoenas on Bank when it is properly before Commissioner Bulla. Commissioner suggested Mr. Boylan ask generic type questions or ask in Interrogatories. Commissioner will sign Deft's Report and Recommendation. Ms. Weber must re-submit the Original, and try to obtain Pltf counsel's signature.

1) First set of discovery and Interrogatories served before the Case Conference Report are INVALID; the parties can agree to respond 30 days after the CCR was served, otherwise, discovery must be re-served. Colloquy re: Rule 26, and complying with Rule 16.1(a)(1). Arguments by counsel. Pltfs' Case Conference Report; Exhibits was filed May 31, 2016. COMMISSIONER RECOMMENDED, First set of discovery was untimely, and service does not control.

COMMISSIONER RECOMMENDED, Re-Notice of Plaintiffs' Motion to Compel and for Sanctions Against Defendant NDSC (Depositions, Written Discovery, NRCP 16.1 Disclosures) is GRANTED IN PART:

1) Pltf's Request to Produce - #3 Defts must answer, answer #2, #8 answer with clarification; answer #16, #22 answer and produce MODIFIED to 2007 through the present dealing with Pltf's generic information; Commissioner Will Not Address Set Two as documents were due August 10th, and the Motion was filed August 9th; Defts Will Not Answer. Have another 2.34 conference, and bring another Motion.

Colloquy re: asking specific questions in Interrogatories. Arguments by counsel. COMMISSIONER RECOMMENDED, Interrogatories 7, 8, 9, 10, and 18 are LIMITED to Pltfs in this case; if Pltf exceeded 40 Interrogatories, go back and determine exactly what you need responses to; RE-SERVE #24 as a separate Interrogatory; Defense counsel Will Not Answer #24 at this time. COMMISSIONER RECOMMENDED, Pltf can ask software questions, but Interrogatories are LIMITED to these Pltfs at this time.

COMMISSIONER RECOMMENDED, answer Admission 8; Admissions 9, 20, 21, 22, 23, and 24 must be re-written and re-served; answer Admission 25 only pertaining to Plaintiffs. Colloquy re: 30(b)(6) deposition. Argument by Mr. Soderstrom. COMMISSIONER RECOMMENDED, 30(b)(6) deposition is LIMITED to Pltfs and all generic information; 1) Pltf to give reasonable number of dates for deposition, Defense counsel will obtain dates, and counsel must meet and confer; 3) confirm dates, time, and location to bring witnesses to the forum LIMITED to Pltfs stock, letters, correspondence, policies and procedures, and all generic information; for 16.1 initial disclosure requests - 1, 2, and 4 are LIMITED to Pltfs; 3) LIMITED to Pltfs with the CAVEAT, if the Company is aware of a Complaint from another Debtor, if you know there is a problem and you're aware of their identity, they must be disclosed pursuant to 16.1.

COMMISSIONER RECOMMENDED, for 16.1 Initial Disclosures - 5) Defts are REQUIRED to disclose monies collected; 6) provide standard letters or letters sent to Pltfs; 7) identify employees making or receiving calls during timeframe requested; 8) Deft is REQUIRED to identify providers, if they have the ability to provide records without Subpoenas, discuss obtaining records. Colloquy re: providing contact information of employees, or contacting employees in care of the Law Firm.

Plaintiffs' Motion to Compel and Sanctions Against Defendant QLS (Depositions)
Plaintiffs' Motion to Compel for Sanctions Against Defendant QLS (Written Discovery)
Plaintiffs' Notice of Motion to Compel and for Sanctions Against Defendant QLS (NRCP 16.1 Disclosures)

Ms. Schuler-Hintz requested 30 days to supplement, and push the hearing out 45 days for remaining disputes. COMMISSIONER RECOMMENDED, QLS will supplement discovery in 30 days (10/19/16); Ms. Schuler-Hintz requested timeframe of 2007 through 2012. Arguments by counsel. Colloquy re: Admissions, Initial disclosures, and 30(b)(6) deposition. COMMISSIONER RECOMMENDED, Interrogatory 18 was re-wrote by Commissioner as discussed in Open Court; sanctions are DEFERRED based on Defts compliance; Status Check SET.

Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant MTC (Written Discovery)
Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant MTC (Depositions)
Re-Notice Of Plaintiffs' Motion To Compel And For Sanctions Against Defendant MTC (NRCP 16.1 Disclosures)

COMMISSIONER RECOMMENDED, NRCP 16.1 is GRANTED IN PART, and provide information within the scope of National Default with the same parameters; written discovery must be RE-WRITTEN and RE-SERVED with the same parameters set forth for National Default.

Deposition was already taken, and Pltfs' counsel stated there is no video recording. Colloquy re: conduct at deposition under Nevada Rules of Civil Procedure (no coaching allowed). Commissioner cannot appoint a Referee, and the Countermotion is Off Calendar and must be brought before the District Court Judge. Commissioner may consider counsel videotaping all depositions.

COMMISSIONER RECOMMENDED, Motion to Compel a Second Deposition of Ms. Johnson to address areas that were not answered is GRANTED; all deposition costs paid by Deft. Argument by Mr. Ceran. Mr. Reynolds is not present today, and he is a Nevada Attorney. Colloquy re: Ms. Johnson's deposition testimony. Commissioner CAUTIONED Defense counsel a hefty sanction Will Issue for similar deposition conduct with payment to Legal Aid Center of Southern Nevada.

COMMISSIONER RECOMMENDED, include Pltfs counsel's travel costs, or bring Deponent to the jurisdiction for Phase I Discovery within parameters. Commissioner would like Mr. Ceran present at deposition. No Confidentiality Order in place. Arguments by counsel. Colloquy re: keeping information confidential. COMMISSIONER RECOMMENDED, Defendants' Joint Motion for Entry of Confidentiality Order and Motion is GRANTED within parameters; financial information, confidential, and proprietary information will be MAINTAINED as CONFIDENTIAL within the confines of litigation pursuant to NRCP 26(c); any information protected under Public Law and not to be disseminated will REMAIN CONFIDENTIAL within the confines of litigation pursuant to NRCP 26(c) until otherwise ordered by the District Court Judge.

Counsel must discuss documents, and make decisions. Commissioner will review one or two documents in camera, but counsel must narrow the issues.

Mr. Scarborough to prepare the Report and Recommendations, and counsel to approve as to form and content. A proper report must be timely submitted within 20 days of the hearing. Otherwise, counsel will pay a contribution. Mr. Scarborough to appear at status check hearing to report on the

Report and Recommendations.

Colloquy re: if counsel are representing former employees at deposition, then counsel need to coordinate a deposition time for them with counsel. Otherwise, Subpoena individuals for deposition, but counsel must provide contact information.

10/19/16 9:00 a.m. Status Check: Compliance SC: Phase I Discovery

10/19/16 9:00 a.m. SC: Compliance (R/R July 20, 2016) and SC: Compliance (R/R Sept. 21, 2016)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

September 21, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

**September 21, 2016 2:00 PM Motion to Amend
Complaint**

HEARD BY: Bonaventure, Joseph T. **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER:

REPORTER: Cheryl Gardner

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, matter VACATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

October 05, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

**October 05, 2016 9:00 AM Motion to Associate
Counsel**

HEARD BY: Thompson, Charles **COURTROOM:** RJC Courtroom 03D

COURT CLERK: Louisa Garcia

RECORDER:

REPORTER:

PARTIES

PRESENT: Weber, Katie M. Attorney

JOURNAL ENTRIES

- COURT ORDERED, Motion to Associate Counsel GRANTED. Order SIGNED IN OPEN COURT.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

October 20, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

October 20, 2016

10:30 AM

Minute Order

**MINUTE ORDER:
VOLUNTARY
RECUSAL**

HEARD BY: Bonaventure, Joseph T.

COURTROOM: RJC Courtroom 03D

COURT CLERK: Louisa Garcia

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Pursuant to Revised Nevada Code of Judicial Conduct, Canon 2, Rule 2.11(A)(1), Court hereby voluntarily recuses itself and ORDERS, this case be RANDOMLY REASSIGNED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

October 26, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

October 26, 2016

9:00 AM

Status Check

Status Check: Phase
1 Discovery

HEARD BY: Bulla, Bonnie

COURTROOM: RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER: Francesca Haak

REPORTER:

PARTIES

PRESENT:	Boylan, Nicholas A.	Attorney
	Brooks, Michael R.	Attorney
	Christopher, Shawn	Attorney
	Maziarz, Jessica R.	Attorney
	Scarborough, Lawrence	Attorney
	Schuler-Hintz, Kristin A., ESQ	Attorney
	Soderstrom, Kevin	Attorney
	Weber, Katie M.	Attorney
	Wilde, Gregory L	Attorney

JOURNAL ENTRIES

- Report and Recommendations from July 20 and September 21, 2016 were signed. A preemptory challenge was filed, case was re-assigned to Dept. 19, but Commissioner Bulla will remain as Discovery Commissioner over the case by Order. Mr. Scarborough addressed the large number of depositions to be taken (20); 15 Pltfs in case. Arguments by counsel. Calendar provided to Commissioner by Mr. Scarborough in Open Court. Mr. Boylan has a two to three week Trial in San Diego that will likely consume the entire month of December. Phase 2 discovery begins next week.

COMMISSIONER RECOMMENDED, Status Check SET on Phase 2 and Phase 3 discovery.

PRINT DATE: 07/07/2017

Page 17 of 49

Minutes Date: November 16, 2015

COMMISSIONER RECOMMENDED, for Phase 1 discovery - discovery cutoff EXTENDED to 3/3/17; FILE dispositive motions by 4/7/17. Argument by Mr. Boylan; counsel needs to get a brief to Commissioner detailing Defts' failure to follow Commissioner's Recommendations.

COMMISSIONER RECOMMENDED, file a Motion to Compel and for Rule 37 Sanctions for proper evaluation. Mr. Scarborough will not make a series of excuses. Commissioner has no pre-conceived ideas, and Commissioner will make a decision when the information is properly before the Discovery Commissioner. Colloquy re: breaking up the Motion by party. COMMISSIONER RECOMMENDED, the parties are allowed to go beyond page limits for the Motion, Opposition, and Response. The District Court Judge signs Confidentiality Orders. Commissioner kept the calendar provided in Open Court.

Mr. Scarborough to prepare the Report and Recommendations, and counsel to approve as to form and content. A proper report must be timely submitted within 10 days of the hearing. Otherwise, counsel will pay a contribution. Mr. Scarborough to appear at status check hearing to report on the Report and Recommendations.

12/2/16 11:00 a.m. Status Check: Compliance

3/8/17 9:00 a.m. Status Check: Phase 2 and Phase 3 discovery

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

October 26, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

October 26, 2016 9:00 AM Minute Order

HEARD BY: Gonzalez, Elizabeth

COURTROOM: RJC Courtroom 14C

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- As Presiding Judge of the Civil Division to promote continuity in the handling of this matter by the Discovery Commissioner, this matter will REMAIN with Commissioner Bulla.

CLERK'S NOTE: A copy of the above minute order was distributed via the E-Service Master List. / dr
10-26-16

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

December 01, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

December 01, 2016 3:00 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:**

COURT CLERK: Tia Everett

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- PLAINTIFFS' NOTICE OF MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE February 2016 HEARING ON DEFENDANTS' JOINT NRCP 12(B)(5) MOTIONS AND PLAINTIFFS' MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE February 2016 HEARING ON DEFENDANTS' JOINT NRCP 12(B)(5) MOTIONS BY THIRTEEN (13) PAGES ... DEFENDANTS' JOINT MOTION TO STRIKE AND, IN THE ALTERNATIVE, OPPOSITION TO PLAINTIFFS' MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE February 2016 HEARING ON DEFENDANTS' JOINT NRCP 12(B)(5) MOTIONS

COURT ORDERED, Motions CONTINUED to Thursday 1/05/2017 chamber calendar.

CLERK'S NOTE: The above minute order has been distributed to:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

December 15, 2016

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

**December 15, 2016 3:00 AM Motion to Associate
Counsel**

HEARD BY: Kephart, William D. **COURTROOM:**

COURT CLERK: Tia Everett

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Defendant National Default Servicing Corporation s motion to associate counsel Kevin Patrick Nelson, currently scheduled for hearing on 1/5/2017, ADVANCED for adjudication on today s civil hearing calendar and is GRANTED pursuant to EDCR 2.20 and Nevada Supreme Court Rule 42. No opposition filed as of 12/15/2016. Accordingly, pursuant to EDCR 2.20(e), Defendant National Default Servicing Corporation s motion to associate counsel Kevin Patrick Nelson is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

CLERK'S NOTE: The above minute order has been distributed to:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

January 05, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

January 05, 2017 3:00 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:**

COURT CLERK: Tia Everett

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- PLAINTIFFS' RE-NOTICE OF HEARING OF MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE FEBRUARY 2016, HEARING ON DEFENDANTS' JOINT NRCP 12(B)(5) MOTIONS AND PLAINTIFFS' MOTION TO EXTEND LENGTH OF PLAINTIFFS' MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE FEBRUARY 2016, HEARING ON DEFENDANTS' JOINT NRCP 16(B)(5) MOTIONS BY THIRTEEN (13) PAGES:

COURT ORDERED, Motion OFF CALENDAR and SET for Status Check; all counsel required to appear.

PLAINTIFFS' NOTICE OF MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE FEBRUARY 2016 HEARING ON DEFENDANTS' JOINT NRCP 12(B)(5) MOTIONS AND PLAINTIFFS' MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE FEBRUARY 2016 HEARING ON DEFENDANTS' JOINT NRCP 12(B)(5) MOTIONS BY THIRTEEN (13) PAGES:

COURT ORDERED, Motion OFF CALENDAR and SET for Status Check; all counsel required to appear.

DEFENDANTS' JOINT MOTION TO STRIKE AND, IN THE ALTERNATIVE, OPPOSITION TO PLAINTIFFS' MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE FEBRUARY 2016 HEARING ON DEFENDANTS' JOINT NRCP 12(B)(5) MOTIONS:

COURT ORDERED, Motion OFF CALENDAR and SET for Status Check; all counsel required to appear.

2/07/2017 9:00 AM STATUS CHECK: OUTSTANDING MOTIONS / DISCOVERY / TRIAL

CLERK'S NOTE: The above minute order has been distributed to:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

January 11, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

**January 11, 2017 9:30 AM Motion to Compel Notice of Plaintiffs
Motion to Compel
and for Sanctions
Against Defendants
NDSC, QLS, CRC,
and MTC**

HEARD BY: Bulla, Bonnie

COURTROOM: RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER: Francesca Haak

REPORTER:

PARTIES

PRESENT: Beckom, Thomas N. Attorney
 Boylan, Nicholas A. Attorney
 Brooks, Michael R. Attorney
 Christopher, Shawn Attorney
 Maziarz, Jessica R. Attorney
 Scarborough, Lawrence Attorney
 Soderstrom, Kevin S. Attorney
 Wilde, Gregory L Attorney

JOURNAL ENTRIES

- ATTORNEYS PRESENT: Alan Ceran and Preston Matthews.

COMMISSIONER RECOMMENDED, have a 2.34 conference, and list all documents/discovery needed that Pltfs believe they haven't received, and Defts can respond.

MATTER TRAILED AND RECALLED: As to QLS, Mr. Boylan stated Deft agreed to give relevant telephone records, to re-assess telephone providers, and give names for the timeframe of 2007 to 2012 (for QLS); Mr. Beckom will supplement as discussed in Open Court, and counsel requested a Status Check in two weeks. Commissioner will coordinate Status Check with another hearing.

COMMISSIONER RECOMMENDED, Motion to Compel is GRANTED IN PART. Colloquy re: finding information in files, computer systems, and data bases; identification of other lawsuits discussed. Mr. Beckom will research how QLS keeps track of informal Complaints, double check everything is turned over, and file supplements as discussed. Mr. Boylan requested deposition of tech people; depositions set but not QLS Deponents. Mr. Beckom Stipulated they will identify the nine people disclosed were Most Likely the people communicating with Nevada Debtors.

CRC

COMMISSIONER RECOMMENDED, timeframe is 2007 to 2011. Colloquy re: FANDS data base. Commissioner advised counsel they must move for leave from the Court for a second 30(b)(6) deposition. Commissioner advised counsel the Court will want to know how many Nevada citizens were contacted by CRC, and what fees were earned from work. Upon Commissioner's inquiry, Mr. Scarborough addressed CRC's status and relationship to JPMorgan. Commissioner suggested Subpoenaing the non-party to locate information.

Argument by Mr. Boylan and Mr. Scarborough. COMMISSIONER RECOMMENDED, within one week, provide Commissioner with a copy of CRC President's deposition and videotape; Interrogatory 18 is DEFERRED to 2/10/17 (heard with Motion for Protective Order). Colloquy re: the Accountant. Commissioner wants to know what Mr. Santos can offer. Counsel must provide an update on costs, number of people, and timeframe. Mr. Scarborough will not be present 2/10/17 (schedule conflict). Mr. Boylan offered to review information on a disc provided by Deft. Based on Stipulation of counsel, Rule 16.1 issue is resolved. Colloquy re: Rule 34(d). Ms. Maziarz will perform a limited search on Clark and Washoe counties computer sites for cases and provide case numbers. Mr. Boylan's Opposition to Motion for Protective Order is due one week before 2/10/17 hearing.

BREAK AND MATTER RECALLED:

Housekeeping issues. CRC - Ms. Maziarz stated the Confidentiality Order was used to file the Motion to Seal. Another Motion filed on OST needs a calendar hearing. Mr. Boylan WITHDREW Notice of 30(b)(6) deposition for now until it is properly before Commissioner (will be returned to local counsel).

NDSC

Arguments by Mr. Boylan and Mr. Wilde. Discussion re: language in contracts concerning debt collecting activities. COMMISSIONER RECOMMENDED, Request to Produce 8 - produce documents with REDACTIONS with a privilege log. Commissioner set forth the requirements of a 2.34 conference. Commissioner expects compliance with RTP 3; Mr. Wilde must meet with the client on documents as discussed in Open Court. Commissioner suggested counsel check with the Compliance Officer and emails, and Lawyer emails. Concerning Interrogatory 18, Mr. Wilde stated NDSC has thousands of files in Nevada. COMMISSIONER RECOMMENDED, provide the number of files in Nevada, any way to search files, and how files exist from 2007 to the present; further, Commissioner needs to know the level of involvement. COMMISSIONER RECOMMENDED, Mr. Wilde will supplement discovery as discussed in Open Court.

COMMISSIONER RECOMMENDED, all supplements for ALL PARTIES DUE 2/1/17 so another 2.34 conference can be held before 2/10/17; if you need more time, contact Mr. Boylan. It is possible Commissioner will continue the 2/10/17 hearing.

MTC

Arguments by Mr. Boylan and Mr. Ceran. Commissioner expects an update on depositions on 2/10/17. COMMISSIONER RECOMMENDED, RPT 8 - information re: services Deft provided to MTC and MTC's activities in the State of Nevada must be disclosed as previously discussed (prepare a privilege log if necessary); Interrogatory 18 - not MTC's issue; RTP 22 - everything was produced; RTP 2 - everything was produce per Mr. Ceran. RTP 2 wasn't discussed per Mr. Boylan. Colloquy; if discrepancies exist, have a 2.34 conference before returning to Discovery. COMMISSIONER RECOMMENDED, RTP 3 - colloquy; ensure information was turned over involving whether or not MTC required a license was disclosed; RTP 8 - provide information. COMMISSIONER RECOMMENDED, Motion for Sanctions is DENIED WITHOUT PREJUDICE.

Mr. Boylan to prepare the Report and Recommendations, and counsel to approve as to form and content. A proper report must be timely submitted within 10 days of the hearing. Otherwise, counsel will pay a contribution. Mr. Boylan to appear at status check hearing to report on the Report and Recommendations.

2/10/17 9:30 a.m. Status Check: Compliance / R/R

2/10/17 9:30 a.m. SC: Compliance / Production / Interrogatory 18 (CRC) / Update on Depositions

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

January 12, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

**January 12, 2017 3:00 AM Motion For
Reconsideration**

HEARD BY: Kephart, William D. **COURTROOM:**

COURT CLERK: Tia Everett

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- National Default Servicing Corporation s Motion for Reconsideration Re: Order adopting and affirming Discovery Commissioner s Report and Recommendations following 9/21/2016 Hearing is OFF CALENDAR. Further, Status Check Re: Outstanding Motions/ Discovery/Trial set for 2/7/2017 @ 9AM. Trial Counsel required to appear in person.

CLERK'S NOTE: The above minute order has been distributed to:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

January 19, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

January 19, 2017 3:00 AM Motion for Leave

HEARD BY: Kephart, William D. **COURTROOM:**

COURT CLERK: Tia Everett

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, Plaintiff's Motion for Leave to File Third Amended Complaint CONTINUED to 2/07/2017 at 9:00 AM.

CLERK'S NOTE: The above minute order has been distributed to:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

February 07, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

February 07, 2017 9:00 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT: Beckom, Thomas N. Attorney
 Boylan, Nicholas A. Attorney
 Maziarz, Jessica R. Attorney
 Soderstrom, Kevin S. Attorney
 Weber, Katie M. Attorney

JOURNAL ENTRIES

- Colloquy regarding discovery and status of case. COURT ORDERED, matter CONTINUED and parties to file any additional motions they believe to be appropriate. FURTHER ORDERED, Defendant's motion for reconsideration SET for 3/14/2017.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

February 17, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

February 17, 2017 9:30 AM All Pending Motions

HEARD BY: Bulla, Bonnie **COURTROOM:** RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER: Debbie Winn

REPORTER:

PARTIES

PRESENT:

Boylan, Nicholas A.	Attorney
Christopher, Shawn	Attorney
Perlick, Jessica E.	Attorney
Scarborough, Lawrence	Attorney
Schuler-Hintz, Kristin A., ESQ	Attorney
Soderstrom, Kevin S.	Attorney
Weber, Katie M.	Attorney

JOURNAL ENTRIES

- COURT CALL - Deft California Reconveyance Company's Motion for Protective Order Regarding Interrogatory No. 18 SC: Compliance SC: Compliance / Production / Interrogatory 18 (CRC) / Update on Depositions

ATTORNEYS PRESENT: Alan Ceran,

Commissioner read CRC's supplement. Arguments by counsel. Deft CRC's Motion for Protective Order re: Interrogatory No. 18 is Withdrawn by Mr. Scarborough based on the supplement provided. Colloquy re: the FANDS System. Mr. Scarborough represents CRC, but counsel doesn't represent Chase. Colloquy. COMMISSIONER RECOMMENDED, add to Report and Recommendation that no

party is hindered in any way from conducting Third Party discovery. Commissioner addressed counsel re: scheduling domesticated out of state Subpoenas (California) for deposition. Colloquy re: compliance with Rule 16.1.

COMMISSIONER RECOMMENDED, failure to comply with Subpoenas will result in potential sanctions; Interrogatory 18 is PROTECTED, and Commissioner DENIED Motion to Compel WITHOUT PREJUDICE; colloquy; Status Check on Phase 2 and Phase 3 Discovery STANDS. Commissioner addressed the Report and Recommendation from January 11, 2017 hearing. COMMISSIONER RECOMMENDED, take deposition in San Diego or take by video conference (counsel will decide), therefore, Commissioner GRANTED PROTECTION from Camillo and Anna Martinez's depositions in Las Vegas based on hardship issues.

Mr. Scarborough to prepare the Report and Recommendations, and counsel to approve as to form and content. A proper report must be timely submitted within 10 days of the hearing. Otherwise, counsel will pay a contribution. Mr. Scarborough appear at status check hearing to report on the Report and Recommendations.

3/24/17 11:00 a.m. Status Check: Compliance

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

March 02, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

**March 02, 2017 3:00 AM Motion to Associate
Counsel**

HEARD BY: Kephart, William D. **COURTROOM:**

COURT CLERK: Tia Everett

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Defendant California Reconveyance Company s Motion to Associate Counsel and for Order Shortening Time is GRANTED pursuant to EDCR 2.20 and Nevada Supreme Court Rule 46. No opposition filed as of 3/2/2017. Accordingly, pursuant to EDCR 2.20(e), Defendant California Reconveyance Company s Motion to Associate Counsel and for Order Shortening Time is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

CLERK'S NOTE: The above minute order has been distributed to:

Shaun M. Rose srose@brookshubley.com

efile@brookshubley.com efile@brookshubley.com
Michael R. Brooks, Esq. mbrooks@brookshubley.com
Shantel Llanos sllanos@brookshubley.com

Gregory B. Iannelli gregory.iannelli@bryancave.com
Jessica R. Maziarz jessica.maziarz@bryancave.com
Julie Martin julie.martin@bryancave.com
Kathryn Brown Kathryn.Brown@bryancave.com
Lawrence G. Scarborough lgscarborough@bryancave.com
Lisa Kirkeby ldkirkeby@bryancave.com
Mary Ann Villa mavilla@bryancave.com
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Allan Ceran aceran@bwsllaw.com
Barbara Jeong bjeong@bwsllaw.com
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Fabio Cabezas fcabezas@bwsllaw.com
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Julie Anderson janderson@bwsllaw.com
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Nicholas A. Boylan, Esq. nablawfirm@aol.com

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Gregory L. Wilde, Esq. efilenv@tblaw.com

Gregory L. Wilde, Esq. glw@tblaw.com

Kevin P. Nelson kpn@tblaw.com

Kevin S. Soderstrom kss@tblaw.com

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

March 08, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

March 08, 2017 9:00 AM Status Check COURT CALL -
Status Check: Phase
2 and Phase 3
Discovery

HEARD BY: Bulla, Bonnie

COURTROOM: RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER: Francesca Haak

REPORTER:

PARTIES

PRESENT:	Beckom, Thomas N.	Attorney
	Boylan, Nicholas A.	Attorney
	Christopher, Shawn	Attorney
	Mathews, Preston S.	Attorney
	Perlick, Jessica E.	Attorney
	Scarborough, Lawrence	Attorney
	Soderstrom, Kevin S.	Attorney

JOURNAL ENTRIES

- Allan Ceran, Esquire, for MTC Financial.

From Commissioner's perspective, Phase 1 is completed unless otherwise determined by the Judge. Mr. Boylan requested 120 days extension for Phase 1 discovery before being ready to oppose Motions for Summary Judgment. Mr. Ceran stated Pltf's Motion to file a Third Amended Complaint was Granted, and Phase 1 discovery for that Pltf needs to be kept open. Motions for Summary Judgment have not been filed yet, and Mr. Scarborough addressed Mr. Boylan's attempts to undo phasing. Arguments by counsel. Mr. Boylan agreed to sixty days of discovery, but counsel needed more time for discovery. Colloquy re: deadlines.

PHASE 1 - COMMISSIONER RECOMMENDED, discovery cutoff extended to 6-9-17; FILE dispositive motions by 7-10-17; Trial ready 9-24-18.

PHASE 2 - COMMISSIONER RECOMMENDED, discovery cutoff extended to 1-12-18; adding parties, amended pleadings, and initial expert disclosures due 10-10-17; rebuttal expert disclosures due 11-13-17; FILE dispositive motions by 2-12-18.

PHASE 3 - COMMISSIONER RECOMMENDED, discovery cutoff extended to 7-13-18; adding parties, amended pleadings, and initial expert disclosures due 4-13-18; rebuttal expert disclosures DUE 5-14-18; FILE dispositive motions by 8-13-18.

Commissioner provided dates with the understanding that flexibility may be needed. Marshal provided a copy of dates to counsel. COMMISSIONER RECOMMENDED moving the Trial date to 9-24-18; Status Check SET; on 3-14-17, send a representative if counsel down to the Status Check.

Mr. Scarborough to prepare the Report and Recommendations, and counsel to approve as to form and content. A proper report must be timely submitted within 10 days of the hearing. Otherwise, counsel will pay a contribution. Mr. Scarborough to appear at status check hearing to report on the Report and Recommendations.

3-14-17 11:30 a.m. Status Check: Status of Case / Trial date

4-7-17 11:00 a.m. Status Check: Compliance

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

March 14, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

March 14, 2017 9:00 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Aja Brown

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT:

Beckom, Thomas N.	Attorney
Boylan, Nicholas A.	Attorney
Brooks, Michael R.	Attorney
Brown, Kathryn E.	Attorney
Christopher, Shawn	Attorney
Scarborough, Lawrence	Attorney
Weber, Katie M.	Attorney
Wilde, Gregory L	Attorney

JOURNAL ENTRIES

- NOTICE OF MOTION RE: PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT...NATIONAL DEFAULT SERVICING CORPORATION'S MOTION FOR RECONSIDERATION RE: ORDER ADOPTING AND AFFIRMING DISCOVERY COMMISSIONER'S REPORT AND RECOMMENDATIONS FOLLOWING SEPTEMBER 21, 2016 HEARING...PLAINTIFF'S MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE: FEBRUARY 2016 HEARING ON DEFENDANT'S JOINT NRCP 12(B)(5) MOTIONS...PLAINTIFF'S MOTION TO EXTEND LENGTH OF PLAINTIFF'S MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE FEBRUARY 2016 HEARING ON DEFENDANT'S JOINT NRCP 12(B)(5) MOTIONS BY THIRTEEN PAGES

Jerett Yan Esq., on behalf of the Defendant, MTC Financial, Inc, appearing telephonically. Allan

Ceran, Esq, on behalf of the Defendant, MTC Financial Inc., also present.

Court summarized the history of the case. Mr. Boylan argued regarding the Nevada Statutes 107 and 649. Court requested Mr. Boylan narrow his argument to specific cases and how those cases apply to his interpretation of the 107 and 649 statutes. COURT ORDERED, Discovery SUSPENDED. COURT FURTHER ORDERED, Briefing Schedule SET as follows: Plaintiff's Brief due by 3/28/17, Defendant's Reply Brief due by 4/4/17, Plaintiff's Reply due by 4/11/17, Hearing CONTINUED.

CONTINUED TO: 5/4/17 9:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

March 14, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

March 14, 2017	11:30 AM	Status Check: Status of Case	Status Check: Status of Case / Trial date
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HEARD BY: Bulla, Bonnie**COURTROOM:** RJC Level 5 Hearing Room**COURT CLERK:** Jennifer Lott**RECORDER:** Francesca Haak**REPORTER:****PARTIES**

PRESENT:	Beckom, Thomas N. Attorney
	Christopher, Shawn Attorney
	Perlick, Jessica E. Attorney
	Scarborough, Lawrence Attorney
	Weber, Katie M. Attorney
	Wilde, Gregory L Attorney

JOURNAL ENTRIES

- ADDITIONAL ATTORNEYS PRESENT: Katie Brown (CRC) and Allan Ceran (MTC).

MATTER TRAILED for Pltfs' counsel to appear. MATTER RECALLED. Shaun Christopher, Esquire, present.

Mr. Boylan could not get an elevator and was unable to appear. Colloquy re: the Judge set a briefing schedule on 12(b)(6) issues, discovery is stayed, and Hearing before the Judge is tentatively set 5/4/17. Mr. Scarborough will submit Report and Recommendations from the 3/8/17 hearing. Mr. Boylan can write a letter explaining objections, or Mr. Boylan can prepare his own Report and Recommendations. Approval as to form and content does not waive objections. Send a cover letter if

Mr. Boylan does not sign it.

Based on agreement by counsel, COMMISSIONER RECOMMENDED, Notice of Pltfs' Motion to Compel and for Sanctions Against Deft CRC (3/29/17) is VACATED; 4/7/17 Status Check STANDS (3/8/17 Report and Rec.), and Status Check SET.

6/14/17 10:00 a.m. Status Check: Status of Case

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

April 06, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

**April 06, 2017 3:00 AM Motion to Associate
Counsel**

HEARD BY: Kephart, William D. **COURTROOM:**

COURT CLERK: Tia Everett

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Defendant California Reconveyance Company s Motion to Associate Counsel Gregory B. Iannelli on OST is GRANTED pursuant to EDCR 2.20 and Nevada Supreme Court Rule 42. No opposition filed as of 4/6/2017. Accordingly, pursuant to EDCR 2.20(e), Defendant California Reconveyance Company s Motion to Associate Counsel Gregory B. Iannelli on OST is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Counsel is to prepare and submit an order within ten (10) days and distribute a filed copy to all parties involved in this matter.

CLERK'S NOTE: The above minute order has been distributed to:

Shaun M. Rose srose@brookshubley.com

efile@brookshubley.com efile@brookshubley.com
Michael R. Brooks, Esq. mbrooks@brookshubley.com
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Shawn Christopher sc@christopherlegal.com
Nicholas A. Boylan, Esq. nablawfirm@aol.com

Kristin Schuler-Hintz dcnv@mccarthyholthus.com

Thomas N. Beckom tbeckom@mccarthyholthus.com

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Gregory L. Wilde, Esq. efilenv@tblaw.com
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Kevin P. Nelson kpn@tblaw.com
Kevin S. Soderstrom kss@tblaw.com

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filing

COURT MINUTES

May 04, 2017

A-11-649857-C Jeffrey Benko, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

May 04, 2017 9:00 AM All Pending Motions

HEARD BY: Kephart, William D. **COURTROOM:** RJC Courtroom 03E

COURT CLERK: Tia Everett

RECORDER: Christine Erickson

REPORTER:

PARTIES

PRESENT: Beckom, Thomas N. Attorney
 Boylan, Nicholas A. Attorney
 Attorney
 Christopher, Shawn Attorney
 Iannelli, Gregory B. Attorney
 Maziarz, Jessica R. Attorney
 Scarborough, Lawrence Attorney

JOURNAL ENTRIES

- NOTICE OF MOTION RE PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT ... NATIONAL DEFAULT SERVICING CORPORATION'S MOTION FOR RECONSIDERATION RE: ORDER ADOPTING AND AFFIRMING DISCOVERY COMMISSIONER'S REPORT AND RECOMMENDATIONS FOLLOWING September 21, 2016 HEARING ... PLAINTIFF'S MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE: February 2016 HEARING ON DEFENDANT'S JOINT NRCP 12(B)(5) MOTIONS ... PLAINTIFF'S MOTION TO EXTEND LENGTH OF PLAINTIFF'S MOTION FOR CLARIFICATION AND ENTRY OF ORDER RE: February 2016 HEARING ON DEFENDANT'S JOINT NRCP 12(B)(5) MOTIONS BY THIRTEEN PAGES:

Following arguments by counsel, COURT ORDERED, Defendant's motion to dismiss GRANTED and all future dates VACATED.



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

NICHOLAS A. BOYLAN, ESQ.
233 "A" ST., STE 1205
SAN DIEGO, CA 92101

DATE: July 7, 2017
CASE: A-11-649857-C

RE CASE: JEFFREY BENKO; CAMILO MARTINEZ; ANA MARTINEZ; FRANK SCINTA;
JACQUELINE SCINTA; SUSAN HJORTH; RAYMOND SANSOTA; FRANCINE SANSOTA;
SANDRA KUHN; JESUS GOMEZ; SILVIA GOMEZ; DONNA HERRERA; ANTOINETTE GILL;
JESSE HENNIGAN; SUSAN KALLEN; ROBERT MANDARICH; JAMES NICO; PATRICIA
TAGLIAMONTE vs. QUALITY LOAN SERVICE CORPORATION; MTC FINANCIAL, INC., DBA
TRUSTEE CORPS; MERIDIAN FORECLOSURE SERVICE DBA MTDS, INC. DBA MERIDIAN
TRUST DEED SERVICE; NATIONAL DEFAULT SERVICING CORPORATION; CALIFORNIA
CONVEYANCE COMPANY

NOTICE OF APPEAL FILED: July 5, 2017

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):

PLAINTIFFS' NOTICE OF APPEAL OF COURT'S ORDER OF JUNE 7, 2017; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DISMISSING CASE AS A MATTER OF LAW AND DIRECTING JUDGMENT IN DEFENDANT'S FAVOR IN CONNECTION WITH PLAINTIFF'S THIRD AMENDED COMPLAINT WITH PREJUDICE; NOTICE OF ENTRY OF ORDER DISMISSING CASE AS A MATTER OF LAW AND DIRECTING JUDGMENT IN DEFENDANTS' FAVOR IN CONNECTION WITH PLAINTIFFS' THIRD AMENDED COMPLAINT WITH PREJUDICE; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

JEFFREY BENKO; CAMILO MARTINEZ;
ANA MARTINEZ; FRANK SCINTA;
JACQUELINE SCINTA; SUSAN HJORTH;
RAYMOND SANSOTA; FRANCINE
SANSOTA; SANDRA KUHN; JESUS
GOMEZ; SILVIA GOMEZ; DONNA
HERRERA; ANTOINETTE GILL; JESSE
HENNIGAN; SUSAN KALLEN; ROBERT
MANDARICH; JAMES NICO; PATRICIA
TAGLIAMONTE,

Plaintiff(s),

vs.

QUALITY LOAN SERVICE CORPORATION;
MTC FINANCIAL, INC., DBA TRUSTEE
CORPS; MERIDIAN FORECLOSURE
SERVICE DBA MTDS, INC. DBA MERIDIAN
TRUST DEED SERVICE; NATIONAL
DEFAULT SERVICING CORPORATION;
CALIFORNIA CONVEYANCE COMPANY,

Defendant(s),

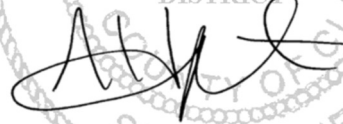
Case No: A-11-649857-C

Dept No: XIX

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 7 day of July 2017.

Steven D. Grierson, Clerk of the Court

A handwritten signature in black ink, appearing to read 'Amanda Hampton', is written over a faint, circular court seal. The seal contains the text 'UNITED STATES DISTRICT COURT OF THE EIGHTH JUDICIAL DISTRICT LAS VEGAS, NEVADA'.

Amanda Hampton, Deputy Clerk
A-11-649857-C