

IN THE SUPREME COURT OF THE STATE OF NEVADA

SATICOY BAY LLC SERIES 9050 W
WARM SPRINGS 2079,

Appellant,

v.

NEVADA ASSOCIATION SERVICES,
INC.; JAMES P. MARKEY; and DITECH
FINANCIAL LLC,

Respondents.

Supreme Court No. 74153

Electronically Filed
Feb 15 2019 08:47 a.m.
District Court Case: A-16-730623-C
Elizabeth A. Brown
Clerk of Supreme Court

**DITECH FINANCIAL LLC'S
NOTICE OF BANKRUPTCY
FILING AND SUGGESTION OF
AUTOMATIC STAY**

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Defendant DITECH FINANCIAL LLC and debtor, Ditech Financial LLC (the "Debtor"), by and through their undersigned counsel, in accordance with and consistent with section 362(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101, et seq. (the "Bankruptcy Code"), respectfully submits this Notice of Bankruptcy and Effect of Automatic Stay, and state/s as follows:

1. On February 11, 2019 (the "Petition Date"), Ditech Holding Corporation and certain of its direct and indirect subsidiaries (collectively, the "Debtors"), including Ditech Financial LLC, filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code (the "Bankruptcy Filing") in the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004-1408 (the "Bankruptcy Court"). The Debtors'

Chapter 11 cases are being jointly administered, and are indexed at case number 19-10414 (Ditech Holding Corporation is indexed at case number 19-10412. It is anticipated case number 19-10414 will be consolidated with 19-10412).

2. As a result of the Bankruptcy Filing, on the Petition Date, the protections of the automatic stay codified in section 362(a) of the Bankruptcy Code arose with regard to the Debtors. Section 362(a), among other things, operates as an automatic stay of: (i) “the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding” against the Debtors that was or could have been commenced before the Petition Date (11 U.S.C. § 362(a)(1)); (ii) any act to create, perfect, or enforce against property of the Debtors any lien to the extent that such lien secures a claim that arose prior to the Petition Date (11 U.S.C. § 362(a)(5)); (iii) acts to “collect, assess, or recover a claim” against the Debtors arising prior to the Petition Date (11 U.S.C. § 362(a)(6)); and (iv) the setoff of any debt owing to the Debtors that arose before the Petition Date (11 U.S.C. § 362(a)(7)).

3. The above-captioned action constitutes a "judicial, administrative, or other action or proceeding" against the Debtor, an act to obtain possession of the Debtor's property, and/or an act to collect or recover on a claim against the Debtor.

4. Accordingly, the above-captioned lawsuit against the Debtor is stayed pursuant to 11 U.S.C. 362(a).

5. Any action taken by the Plaintiff or any other party against the Debtor without obtaining relief from the automatic stay from the Bankruptcy Court may be void *ab initio* and may result in a finding of contempt by the Bankruptcy Court against the Plaintiff or such other party. The Debtor reserves and retains all rights to seek relief in Bankruptcy Court from any action, judgment, order, or ruling entered in violation of the automatic stay.

Dated this February 14, 2019 WOLFE & WYMAN LLP

Bv: /s/ Colt B. Dodrill

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CERTIFICATE OF SERVICE

In accordance with NRAP 25, I hereby certify that on the 14th day of February, 2019, I caused a copy of the foregoing **DITECH FINANCIAL LLC'S NOTICE OF BANKRUPTCY FILING AND SUGGESTION OF AUTOMATIC STAY** to be filed and served electronically via the Court's E-Flex System to the following:

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By: /s/ Sandra N. Montoya
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