

IN THE SUPREME COURT OF NEVADA

SFR INVESTMENTS POOL 1, LLC, a limited liability company

Appellant,

vs.

MARCHAI B.T., a bank trust,

Respondent.

Supreme Court Case No. 74416

District Court Case No. A-13-68946-1 Filed
Consolidated with A-16-72620-18 09:07 a.m.
Elizabeth A. Brown
Clerk of Supreme Court
RESPONSE TO ORDER TO SHOW CAUSE

On March 1, 2018, this Court issued an order to show cause why the case should not be dismissed for lack of jurisdiction. As the Court noted, appellant SFR Investments Pool 1, LLC's claims against the former homeowner, Cristela Perez and against U.S. Bank remained pending before the district court. Additionally, because of the consolidation of the cases (noted in the caption), respondent Marchai B.T.'s claims against the Association and Alessi & Koenig, as well as its complaint for judicial foreclosure remain pending.

On April 26, 2018, this Court granted SFR an additional sixty (60) days to respond to the Order to Show Cause. On April 26, 2018, default judgment was entered against Cristela Perez and U.S. Bank, disposing of SFR's claims against those parties. A true and correct copy of the Judgment is attached hereto as **Exhibit 1**.

Counsel for Marchai expressed the intent to file for default judgment or dismissal against the remaining defendants during the time permitted by this Court, thereby disposing of all claims and parties. Thus, SFR did not seek Rule 54(b) relief at that time. At a status hearing on June 21, 2018 before the district court, Marchai indicated that due to a number of unexpected events, it had been unable to file the necessary documents to end the case. The district court granted Marchai an additional thirty days in which to obtain default judgment and dispose of any

remaining claims. Out of all due caution, SFR will also file a motion for Rule 54(b) relief as to the claims between SFR and Marchai.

Based on the foregoing, SFR respectfully requests this Court defer ruling on the Order to Show Cause or dismissing the case for another 45 days so that the intended relief can be obtained. Counsel for Marchai is aware of the request and has authorized SFR to represent it does not oppose the additional time.

DATED this 25th day of June 2018.

KIM GILBERT EBRON

/s/ Jacqueline A. Gilbert
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CERTIFICATE OF SERVICE

I certify that on the 25th day of June 2018, I filed the foregoing **Response to Order to Show Cause** which shall be served via electronic service from the Court's eflex system to:

Master Service List

Docket Number and Case Title: 74416 - SFR INV.'S POOL 1, LLC VS. MARCHAI B.T.

Case Category Civil Appeal

Information current as of: Jun 25 2018 09:05 p.m.

Electronic notification will be sent to the following:

Jacqueline Gilbert

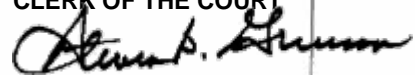
David Merrill

Dated this 25th day of June 2018.

/s/Jacqueline A. Gilbert

An employee of Kim Gilbert Ebron

EXHIBIT 1



DFJD

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DISTRICT COURT

CLARK COUNTY, NEVADA

MARCHAI B.T., a Bank Trust,
Plaintiff,
vs.

Case No. A-13-689461-C

Dept. No. VII

CRISTELA PEREZ, an individual; SFR
INVESTMENTS POOL 1, LLC, a limited
liability company; U.S. BANK NATIONAL
ASSOCIATION, N.D., a national association;
DOES I through X; and ROE
CORPORATIONS I through 10, inclusive,
Defendants.

**JUDGMENT BY DEFAULT AGAINST
CRISTELA PEREZ AND U.S. BANK
NATIONAL ASSOCIATION, N.D. ON
ORDER SHORTENING TIME**

SFR INVESTMENTS POOL 1, LLC, a Nevada
limited liability company,

Counterclaimant/Cross-Claimant,
vs.

MARCHAI B.T., a Bank Trust; U.S. BANK
NATIONAL ASSOCIATION, N.D., a national
association; CRISTELA PEREZ, an individual;
and DOES I through X; and ROE
CORPORATIONS I through 10, inclusive,

Counter-Defendant/Cross-Defendants.

This matter came before the Court on SFR Investments Pool 1, LLC's ("SFR") application
for default judgment against Cross-Defendants CRISTELA PEREZ ("Perez") and U.S. BANK

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1 NATIONAL ASSOCIATION, N.D. ("U.S. Bank") (collectively known as "Cross-Defendants").

2 Having considered the application, including the declarations attached thereto, the Court makes
3 the following findings of fact and conclusions of law:

4 1. On November 13, 2013, SFR filed a Counterclaim and Cross-Claim for quiet title and
5 declaratory relief ("Counter/Cross-Claim") against Counter-Defendant Marchai B.T. and
6 Cross-Defendants Perez and U.S. Bank relating to real property located at 7119 Wolf
7 Rivers Avenue, Las Vegas, Nevada 89131; Parcel No. 125-15-811-013 ("Property").

8 2. Cross-Defendants failed to answer the complaint within the 20-day time limit set forth in
9 NRCP 12. The Clerk of the Court appropriately entered a default against Perez and U.S.
10 Bank on February 12, 2014.

11 3. Cross-Defendants are not incompetent, an infant or serving in the United States military.

12 NOW, THEREFORE, pursuant to NRCP 55(b)(2), having considered the evidence and
13 made the foregoing findings of fact and conclusions of law, and finding good cause,

14 4. SFR submitted credible evidence in support of its application in the form of
15 documents obtained from the Official Records of the Clark County Recorder and declarations
16 made under penalty of perjury that demonstrate prima facie grounds sufficient to enter default
17 judgment against the Cross-Defendants.

18 IT IS ORDERED, ADJUDGED AND DECREED that Perez, any successors and assigns,
19 and U.S. Bank, any successors and assigns, have no right, title or interest in the Property and that

20 SFR is the rightful title owner, but takes subject to the deed
21 ... of trust dated October 19, 2005 which
22 ... was recorded in Book No 20051109 as
23 ... Instrument No. 0001385 in the Official
24 ... Records of the Clark County Recorder's
25 ... Office on November 9, 2005. JH DJM

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2 IT IS FURTHER ORDERED that this judgment does not adjudicate SFR's claims
3 against, or the defenses of, any other party to this case.
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DISTRICT COURT JUDGE

Dated: 4/26/18

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8 Respectfully submitted by:

9 KIM GILBERT EBRON

10 /s/Jacqueline A. Gilbert

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Attorneys for SFR Investments Pool 1

15 Dated this 21st day of March, 2018.
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