

IN THE SUPREME COURT OF THE STATE OF NEVADA

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PATRICIA ANTHONY; and
WILLIAM ANTHONY,

Appellants,

vs.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Respondent.

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APPELLANTS' RESPONSE TO THIS COURT'S
ORDER TO SHOW CAUSE

1. Background

This matter came before the District on Competing motions for summary judgment on July 8, 2019. The matter was argued. On July 10, 2019 the District Court issued an order that granted Respondent's motions and denied the Appellants' motions. This was a final resolution of all matters pending between all parties to the litigation. A copy of the July 10, 2019 the District Court order is attached as Exhibit "1".

It directed counsel for FNMA to prepare proposed "Findings of Fact, Conclusions of Law and Judgment". FNMA prepared the proposed findings, and the District Court adopted FNMA's proposed findings, and they were filed on August 16, 2019. A copy of the District Court's findings are attached as Exhibit "2".

Electronically Filed
Feb 18 2020 10:09 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

No notice of entry of the August 16, 2019 order were ever filed. Attached as Exhibit "3" is a copy of the District Court's docket.

On January 27, 2020 this Court filed its Order to Show Cause based upon a potential jurisdictional defect. Specifically, it appeared that the July 10, 2019 Order was not final, given the August 16, 2019 findings and order. This is the Appellants' response to that Order to Show Cause.

2. Why this Court Has Jurisdiction

It is the Appellants' position that this Court has jurisdiction for two reasons. First the August 16, 2019 order did not "add" anything that the July 10, 2019 order did not resolve. Second, on February 11, 2020 the Appellants filed an amended notice of appeal to reference the August 16, 2019 order. A copy of that notice is attached as Exhibit "4".

A. THE AUGUST 16 ORDER DID NOT ALTER LEGAL RIGHTS

As mentioned above, the matter came before the court on cross motions for summary judgment. The July 10, 2019 order states the following with respect to those motions:

Having reviewed the record and having considered the authorities and positions advanced by counsel, the Court GRANTS FNMA's *Motion for Summary Judgment* on its claim against the Anthonys for trespass; and GRANTS FNMA's *Motion for Summary Judgment* against the Anthonys on their counterclaims. The Anthonys' *Motion for Partial Summary Judgment* is accordingly DENIED. Accordingly, and good cause appearing,

Counsel for FNMA is ORDERED to prepare proposed "Findings of Fact, Conclusions of Law and Judgment" consistent with its points and authorities and as argued on the record July 8, 2019. It shall also include the granting of a permanent

injunction against the Anthonys' further occupation of the subject premises. The document is to be prepared and served upon counsel for the Anthonys for review as to form no later than July 26, 2016.

There is no material, substantive difference between the July 10 and August 16 order. The latter merely set forth the legal basis for the former. The order itself is found at the last page. This is what it said:

ORDER

Based on the foregoing findings of fact and conclusions of law, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff Federal National Mortgage Association's Motion for Summary Judgment is GRANTED and that Patricia Anthony and William Anthony's Partial Motion for Summary Judgment is DENIED. Judgment is entered in favor of Federal National Mortgage Association on all of Plaintiffs claims, and against Defendants on all of Defendants' counterclaims.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that William and Patricia Anthony are hereby PERMANENTLY ENJOINED from further occupying the property located at 3705 Anthony Place, Sun Valley, Nevada, APN No. 026-021-56, including the attached 1996 and 1997 Fuqua manufactured homes, identified with serial number 15233AC and serial number 15470.

IT IS FURTHER ORDERED that the Lis Pendens filed by Plaintiffs and referencing this litigation action is void and invalid, and is hereby expunged. This Order may be recorded in the office of the Las Vegas County Recorder.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the pending orders regarding injunctive relief and payment of

rent shall expire on the date the Court files the Findings of Fact, Conclusions of Law and Judgment.

There was a mention in the August 16 order regarding the Lis Pendens, but that is not material and most likely would have been included in the injunctive relief mentioned in the July 10 order.

When the July 10, 2019 order was filed, Appellants' counsel found himself on the horns of a dilemma. Should he file a notice of appeal of this order or wait until the findings are entered and appeal that?

In an unrelated appeal, *Tedford vs. SMS Financial*, Case No. 75965, this Court issued an order to show cause why the appeal should not be dismissed because there was a March 15, 2017 order and a December 14, 2017 judgment. The appeal was filed with respect to the December 14 judgment. The Court questioned jurisdiction because to the extent a judgment is a restatement of the previous order, it does not alter legal rights or obligations and is superfluous and unappealable. A copy of this order to show cause is attached as Exhibit "5".

Based upon the language of each order in this case, there is no alteration of legal rights or obligations. For that reason, the final order was the one entered on July 10, 2019.

B. THE AMENDED NOTICE OF APPEAL

Nev. R. App. Pro. 4(a)(1) provides in relevant part that the notice of appeal must be filed "*no later than 30 days after the date that written notice of entry of the judgment or order appealed from is served*". As no notice of entry has been filed with respect to the August 16, 2019 order, the attached amended notice of appeal is sufficient to confer jurisdiction on this Court even if it were to decide the July 10 and August 16 orders do not confer the same legal rights and obligations.

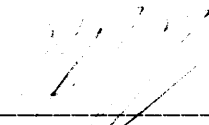
3. Conclusion

Appellants respectfully request that this Court accept jurisdiction of this appeal for the reasons stated herein.

Affirmation
Pursuant to NRS 239B.030

The Undersigned does hereby affirm that the preceding document filed in the case herein does not contain the social security number of any person.

Dated: This 18 day of February, 2020

By:  _____

Michael Lehnert, Esq.

429 Marsh Ave.

Reno, Nevada 89509

Nevada Bar Number 003331

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CERTIFICATE OF SERVICE BY MAIL

Pursuant to Nevada Rule of Civil Procedure 5(b), I certify that on the 18
day of February, 2020 I deposited for mailing in the United States Post Office in
Reno, Nevada, with postage thereon fully prepaid, a true copy of the within
APPELLANTS' RESPONSE TO THIS COURT'S ORDER TO SHOW CAUSE
addressed as follows:

Darren Brenner, Esq.
Akerman, LLP
1635 Village Center Circle
Suite 200
Las Vegas, Nv 89134

A copy of this Notice is also served upon Ackerman, LLP through the court's
Eflex System.



Dolores Stigall

Exhibit List

Exhibit 1	July 10, 2019 order
Exhibit 2	August 16, 2019 findings and order
Exhibit 3	District Court's docket
Exhibit 4	Amended notice of appeal
Exhibit 5	<i>Tedford vs. SMS Financial</i> , Order to Show Cause

Exhibit 1

Exhibit 1

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6 IN THE SECOND JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA
7
8 IN AND FOR THE COUNTY OF WASHOE

9 FEDERAL NATIONAL MORTGAGE
10 ASSOCIATION,

Case No. CV17-00843

Dept. No. 8

11 Plaintiff,

12 v.

13 PATRICIA ANTHONY, WILLIAM
14 ANTHONY, and/or Occupants 1-5,

15 Defendants,

16 _____/
17 PATRICIA ANTHONY, WILLIAM
18 ANTHONY,

Counterclaimants,

19 v.

20 FEDERAL NATIONAL MORTGAGE
21 ASSOCIATION,

22 Counterdefendant.
23 _____/

24 **ORDER AFTER HEARING**

25 The Court heard argument on competing motions for summary judgment on
26 July 8, 2019. Darren T. Brenner, Esq., appeared for Plaintiff/Counterdefendant,
27 Federal National Mortgage Association's ("FNMA") and Michael Lehnert, Esq.,
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1 appeared for Defendants/Counterclaimants Patricia Anthony and William Anthony
2 ("the Anthonys").

3 Having reviewed the record and having considered the authorities and
4 positions advanced by counsel, the Court GRANTS FNMA's *Motion for Summary*
5 *Judgment* on its claim against the Anthonys for trespass; and GRANTS FNMA's
6 *Motion for Summary Judgment* against the Anthonys on their counterclaims. The
7 Anthonys' *Motion for Partial Summary Judgment* is accordingly DENIED.

8 Accordingly, and good cause appearing,

9 Counsel for FNMA is ORDERED to prepare proposed "Findings of Fact,
10 Conclusions of Law and Judgment" consistent with its points and authorities and
11 as argued on the record July 8, 2019. It shall also include the granting of a
12 permanent injunction against the Anthonys' further occupation of the subject
13 premises. The document is to be prepared and served upon counsel for the
14 Anthonys for review as to form no later than July 26, 2016.

15 Counsel are ORDERED to personally confer on any issues or concerns raised
16 by Anthonys' counsel no later than August 2, 2019.

17 Counsel for FNMA is ORDERED to file a proposed final version with the Court
18 no later than August 7, 2019, as well as email the document to chambers in "Word"
19 format. Counsel for the Anthonys may file any objections to the proposed Findings
20 of Fact and Conclusions of Law and Judgment no later than August 9, 2019.

21 The Court will thereafter review and enter Findings of Fact, Conclusions of
22 Law and Judgment as set forth above.

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2 Unless otherwise agreed to in writing by the parties and approved by the
3 Court, the pending orders regarding injunctive relief and payment of rent shall
4 expire on the date the Court files the Findings of Fact, Conclusions of Law and
5 Judgment.

6 IT IS SO ORDERED.

7 DATED this 10 day of July, 2019.

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10 BARRY L. BRESLOW
11 DISTRICT JUDGE
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I hereby certify that I am an employee of the Second Judicial District Court of the State of Nevada, in and for the County of Washoe; and that on this date I electronically filed the foregoing with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

DARREN T. BRENNER, ESQ.

MICHAEL LEHNERS, ESQ.

DATED this 10 day of July, 2019.

atuf

1 **CERTIFICATE OF SERVICE BY MAIL**

2 Pursuant to Nevada Rule of Civil Procedure 5(b), I certify that on the 27
3 day of July, 2019 I deposited for mailing in the United States Post Office in
4 Reno, Nevada, with postage thereon fully prepaid, a true copy of the within
5 **NOTICE OF APPEAL** addressed as follows:
6

7 Darren Brenner, Esq.
8 Akerman, LLP
9 1635 Village Center Circle
10 Suite 200
 Las Vegas, Nv 89134

11 A copy of this Notice is also served upon Ackerman, LLP through the court's
12 Eflex System.
13


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16 _____
17 Dolores Stigall
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Exhibit 2

Exhibit 2

DARREN T. BRENNER, ESQ.
Nevada Bar No. 8386
JAMIE K. COMBS, ESQ.
Nevada Bar No. 13088
AKERMAN LLP
1635 Village Center Circle, Suite 200
Las Vegas, Nevada 89134
Telephone: (702) 634-5000
Facsimile: (702) 380-8572
Email: darren.brenner@akerman.com
Email: jamie.combs@akerman.com

Attorney for Federal National Mortgage Association

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Plaintiff,

v.

PATRICIA ANTHONY, WILLIAM
ANTHONY, and/or Occupants 1-5,

Defendants.

PATRICIA ANTHONY, WILLIAM
ANTHONY,

Counterclaimant,

v.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Counterdefendant.

Case No.: Case No. CV17-00843
Dept. No.: 8

B43
**(PROPOSED) FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER
ON PARTIES' MOTIONS FOR
SUMMARY JUDGMENT**

This matter came for decision on plaintiff/ counter-defendant Federal National Mortgage Association (**Fannie Mae or plaintiff**) and defendants/counter-claimants PATRICIA ANTHONY and WILLIAM ANTHONY (**Anthony's or defendants**)'s Motions for Summary Judgment. The Court, having reviewed the papers and pleadings on file, being fully advised of the grounds for relief therein, and good cause appearing therefore, finds and concludes as follows:

FINDINGS OF FACTS

The Anthonys Presented The Property, Including Both Manufactured Homes, As Real Property Collateral For The Loan.

1. In late 2000, the Anthonys purchased two manufactured homes from Trinity Homes, Inc., their employer for over 20 years. The bigger manufactured home is a 1996 Fuqua Golden Eagle, Serial no. 15233AC, 38'6" by 66'8". (1996 Fuqua). The smaller manufactured home is a 1997 Fugua Eagle Ridge, Serial no. 15470, 25'8" by 48'. (1997 Fuqua). Plaintiff's MSJ, at Exhibit 1.

2. On November 17, 2000, William Anthony, on behalf of Trinity Homes, Inc., filed a "Dealer's Report of Sale" with the Manufacture Housing Division of Nevada's Department of Business and Industry. Plaintiff's MSJ at Exhibit 1. The Report of Sale only references serial number 15233AC (the 1997 Fuqua), but it also provides the trade name of "Eagle Pointe" and "Golden Eagle 953". William Anthony signed the "Affidavit of Dealer" on behalf of Trinity, certifying the cost of the structure as \$129,274.76. Plaintiff's MSJ at Exhibit 1.

3. The manufactured homes were physically located at 3705 Anthony Place, Sun Valley, Nevada and they were attached to each other. The Anthonys recorded one "Affidavit of Conversion of Manufactured/Manufactured Home to Real Property", on November 22, 2000 as Doc. # 2502064. Plaintiff's MSJ at Exhibit 2. Though the Affidavit of Conversion only identifies the "Eagle Ridge" model and model year "1997" for the structure they were seeking to convert, the Anthonys provided each manufactured home's serial number and the dimensions for each—indicating again that both manufactured homes were one.

4. The Affidavit of Conversion included both manufactured homes as the property to be converted. Though only the year "1997" and model name "Eagle Ridge" are identified, the serial numbers for each manufactured home and the dimensions for each are included as descriptions of the property. Plaintiff's MSJ at Exhibit 2.

5. In June 2002, the Anthonys obtained a refinance loan in the amount of \$214,400 from Capitol Commerce Mortgage Co. Plaintiff's MSJ at Exhibit 3.

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1 6. The Loan Application indicates the Anthonys were seeking a loan not for vacant land,
2 but for their residence, built in 2000. Plaintiff's MSJ at Exhibit 4. The Application states they
3 purchased the home for \$270,000.

4 7. The Anthonys authorized an interior appraisal of the home at the time of the loan,
5 further evidencing their intent to encumber the residence. Plaintiff's MSJ at Exhibit 5.

6 8. The appraisal reflects one manufactured home that had multiple upgrades. The total
7 square footage was listed at 3,798 square feet. The appraisal noted that the home included 7 bedrooms
8 and 4 bathrooms, an attached porch, and crawl space underneath. Utilities were attached. Photographs
9 attached to the appraisal reflect one unit with one address number placed on the front of the home.
10 Plaintiff's MSJ at Exhibit 5.

11 9. The appraisal noted that the tongue and groove were removed to make the
12 manufactured homes a fixture on the property. Plaintiff's MSJ at Exhibit 5.

13 10. The appraisal specifically noted it did not include personal property in determining the
14 appraised value, which was \$268,000. Plaintiff's MSJ at Exhibit 5.

15 11. When the Anthonys refinanced they had worked for the manufactured home company
16 for more than twenty years. Plaintiff's MSJ at Exhibit 4. The application also showed the Anthonys
17 owned 8 other properties. *Id.* These are sophisticated borrowers who know how to title the property.

18 ***The Anthonys Sign the DOT, Default on the Loan, and Fannie Mae Forecloses.***

19 12. The Anthonys were approved for a loan in the amount of \$214,400, evidenced by a
20 promissory note and secured by a deed of trust recorded against the property commonly described as
21 3705 Anthony Place, Sun Valley, Nevada (**the Property**). Plaintiff's MSJ at Exhibit 3, and Exhibit 6.

22 13. In signing the deed of trust, the Anthonys granted the trustee under the deed of trust the
23 power of sale for the property that includes the land:

24 "TOGETHER WITH all the improvements now or hereafter erected on the property.
25 All of the foregoing is referred to in this Security Instrument as the 'Property'. ..."

26 Plaintiff's MSJ at Exhibit 6, p. 3.

27 14. The Anthonys also signed a Certificate of Occupancy stating they intended to reside in
28 the home as their primary residence. Plaintiff's MSJ at Exhibit 15.

15. Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP serviced the loan since July 26, 2002.

16. A notice of default was recorded, followed by a notice of sale. Plaintiff's MSJ at Ex. 7.

17. Fannie Mae completed its foreclosure sale in 2012 and became the owner of the property by way of a credit bid. The Trustee Deed Upon Sale was recorded April 26, 2012. Plaintiff's MSJ at Exhibit 9.

Fannie Mae Initiates an Unlawful Detainer Action.

18. After obtaining title to the property at the foreclosure sale, Fannie Mae brought an unlawful detainer action on June 6, 2012. Plaintiff's MSJ at Exhibit 10.

19. The court granted summary judgment for Fannie Mae in the unlawful detainer action. In doing so, the court noted that the Anthonys appeared and had an opportunity to challenge Fannie Mae's title to the Property. They were notified that Fannie Mae sought possession of the home by way of the foreclosure action, yet did not challenge it or present any defenses. Plaintiff's MSJ at Exhibit 10 at pg. 6 ¶¶4-5.

20. Fannie Mae obtained a judgment of possession and a permanent writ of restitution on February 6, 2013 and again on July 6, 2016. Plaintiff's MSJ at Exhibit 11.

21. The Anthonys refuse to vacate the property.

Post-Foreclosure Activity Regarding Title.

22. In October 2012, six months after the foreclosure sale, William Anthony filed an Affidavit Application for Certificate of Ownership of the 1996 Fuqua, claiming the title company lost the statement of origin. Plaintiff's MSJ at Exhibit 12.

23. In October 2015, Fannie Mae recorded an Affidavit Conversion of Manufactured/ Manufactured Home to Real Property as document number 4523526 concerning the 1996 Fuqua. Plaintiff's MSJ at Exhibit 13.

Plaintiff Files This Action To Obtain An Order Of Trespass To Remove The Anthonys and Obtain Permanent Injunctive Relief.

24. Because the Anthonys would not vacate the property, on May 2, 2017, Fannie Mae brought this action to obtain an order of trespass and injunctive relief to prevent the Anthonys from

1 interfering with the removal of their personal belongings from the home and preventing the Anthonys
2 from re-entering the premises or interfering with plaintiff's quiet enjoyment.

3 25. The parties agreed to a temporary injunction allowing the Anthonys to continue to
4 reside in the property in exchange for \$800 per month and payment of insurance and taxes. The
5 Anthonys have continued to make those payments.

6 26. On August 21, 2017, the Anthonys filed their counterclaim for Violation of Article
7 Nine of the UCC, Conversion, and Abuse of Process/ Excessive Attachment.

8 CONCLUSIONS OF LAW

9 *Legal Standard*

10 1. "Summary judgment is appropriate . . . when the pleadings, depositions, answers to
11 interrogatories, admissions, and affidavits, if any, that are properly before the court demonstrate that
12 no genuine issue of material fact exists, and that the moving party is entitled to judgment as a matter
13 of law." *Wood v. Safeway, Inc.*, 121 P.3d 1026, 1031 (Nev. 2005). "While the pleadings and other
14 evidence must be construed in the light most favorable to the nonmoving party, that party has the
15 burden to 'do more than simply show that there is some metaphysical doubt' as to the operative facts
16 to defeat a motion for summary judgment." *Id.* at 1031 (quoting *Matsushita Elec. Indus. Co. v. Zenith*
17 *Radio*, 475 U.S. 574, 586 (1986)).

18 *Fannie Mae is Entitled to Summary Judgment on its Claim for Trespass*

19 2. To establish a cause of action for trespass, one must show that a property right was
20 invaded. *Lied v. Clark Cty.*, 94 Nev. 275, 278-79, 579 P.2d 171, 173-74 (1978). Interference with
21 the "exclusive right to the possession of his land and complete control thereof to the exclusion of any
22 right of another to enter upon it... [that] is vested in [every property owner]" constitutes trespass. *Flick*
23 *v. Nev. Fish and Game Commission*, 75 Nev. 100, 103, 335 P.2d 422, 423 (1959). Thus, one is liable
24 to another for trespass, irrespective of whether he thereby causes harm to any legally protected interest
25 of the other, if he intentionally:

- 26 (a) enters land in the possession of the other, or causes a thing or a third
- 27 person to do so, or
- 28 (b) remains on the land, or
- (c) fails to remove from the land a thing which he is under a duty to remove.

1 Restatement (Second) of Torts § 158 (1965) (emphasis added); *see also id.* at comment (i).

2 3. Fannie Mae obtained title to the property in April 2012 via the foreclosure sale pursuant
3 to the deed of trust. In signing the deed of trust, the Anthonys permitted the trustee under the deed of
4 trust to sell the property, which included all improvements to the land. Plaintiff's MSJ at Ex. 6. The
5 improvements included the entire home (the connected manufactured homes).

6 4. The undisputed evidence demonstrates the manufactured homes were the purpose and
7 collateral of the loan. Plaintiff's MSJ at Ex. 4, 5.

8 5. There is no genuine dispute of material fact that the Anthonys entered onto Fannie
9 Mae's Property in 2012, and remained in possession of the property without consent despite having no
10 right to be on the property. The court therefore grants summary judgment in favor of Fannie Mae on
11 its trespass cause of action.

12 ***Fannie Mae is Entitled to Summary Judgment on the Counter Claims.***

13 6. The Court enters summary judgment in favor of Fannie Mae and against Defendants
14 on each of their counterclaims. Defendants claim Fannie Mae: (1) sold the manufactured homes in
15 violation of the UCC in 2012; (2) attempted possession of the manufactured homes in 2013 and 2016
16 without legal rights; and (3) converted title of the 1996 Fuqua to Fannie Mae from the defendants in
17 2015. The undisputed facts demonstrate that Fannie Mae properly foreclosed on the property,
18 including the manufactured homes. Even if that were not the case, each of these three claims would
19 be barred by the three year statute of limitations under NRS 11.190.

20 ***Conversion***

21 6. Defendants allege Fannie Mae converted the property when it attempted possession in
22 2013 and 2016 and in 2015 when it applied to have the title changed. Conversion is "a distinct act of
23 dominion wrongfully exerted over another's personal property in denial of, or inconsistent with his
24 title or rights therein or in derogation, exclusion, or defiance of such title or rights." *Wantz v. Redfield*,
25 74 Nev. 196, 198, 326 P.2d 413, 414 (1958). The Anthonys cannot succeed on a claim for conversion
26 based on the undisputed facts.

27 7. Fannie Mae obtained title and possession of the property, including the manufactured
28 homes, through its non-judicial foreclosure proceeding, followed by an unlawful detainer action.

1 Plaintiff's MSJ, Exs. 9, 10. It did not convert, or wrongfully take, the property. Fannie Mae properly
2 foreclosed on the property, including the manufactured homes, which were permanently attached to
3 the property and therefore constituted real property. However, even if the manufactured homes were
4 personal property, Fannie Mae still properly foreclosed under NRS 104.9604(1)(b), which states that
5 where a security agreement covers both personal and real property, a secured party may foreclose "[a]s
6 to both the personal property and the real property in accordance with the rights with respect to the
7 real property, in which case the other provisions of this part do not apply." NRS 104.9604(1)(b).

8 8. Further, Defendant's claim for conversion is time-barred. A cause of action for
9 conversion accrues with the unauthorized sale/conversion of property. *See* N.R.S. 11.190(3)(c) and
10 (3)(d); *Palludan v. Bergin*, 375 P.2d 544, 78 Nev. 441 (1962) (action for conversion barred by the
11 statute of limitations where it was not commenced until more than three years after alleged
12 unauthorized sale of the property).

13 9. Any conversion cause of action would have arisen in April 2012 at the earliest and
14 November 2012 at the latest when the sale was completed and judgment of possession entered in favor
15 of Fannie Mae. *See* Exs. 9, 10, 11 to Plaintiff's MSJ. Fannie Mae informed the defendants it claimed
16 title to the property and possession of the premises in April 2012 when it recorded the trustee's deed
17 upon sale. Fannie Mae then began eviction proceedings, advising defendants to vacate the premises
18 because a foreclosure sale had been completed. *See* Ex. 14 to Plaintiff's MSJ. Fannie Mae obtained
19 judgment for possession in November 2012. Ex. 10 to Plaintiff's MSJ.

20 10. Thus, any claims premised on Fannie Mae's assertion of ownership and possession of
21 the property, including the home, would have accrued in November 2012 at the latest, when the
22 judgment for possession was entered in favor of Fannie Mae. Ex. 10 to Plaintiff's MSJ. As the counter
23 claims were not filed until August 2017, the conversion claim is almost two years too late.

24 *UCC Violations*

25 11. A claim based on a statute, like the alleged violations of the UCC here, is subject to the
26 three-year statute of limitations in the absence of a specific limitation period providing otherwise.
27 While limitation periods are provided for in a number of Articles under Nevada's version of the UCC
28 (*see, e.g.*, NRS 104.5115, 1 year), there is no limitation period for a violation of Article 9 concerning

1 secured transactions. *See* NRS 104.9101, et seq. As such, the three-year limitation period under NRS
2 11.190(1) applies.

3 12. Here, all of the Anthony's counterclaims alleging violation of the UCC stem from the
4 April 2012 foreclosure sale, or at the latest, the November 2012 judgment of possession. Ex. 9, 10 to
5 Plaintiff's MSJ. Defendants had actual knowledge Fannie Mae claimed to obtain title to the property,
6 including the manufactured homes, in April 2012 and used that title to obtain possession of the
7 property in November 2012.

8 13. Assuming Defendant's had any viable claim for breach of the UCC, they were required
9 to bring those claims within three years of Fannie Mae's possession of the property, or by November
10 2015. The Anthony's didn't plead these claims until August 2017—almost two years too late.

11 14. Even if the claim was not barred by the statute of limitations, the claim fails because
12 the UCC permitted the sale of the manufactured homes even if the manufactured home did constitute
13 personal property. Where a security agreement covers both personal and real property, a secured party
14 may proceed "[a]s to both the personal property and the real property in accordance with the rights
15 with respect to the real property, in which case the other provisions of this part do not apply." NRS
16 104.9604(1)(b). Therefore, no violation of the UCC occurred.

17 *Excessive Attachment / Abuse of Process*

18 15. Abuse of process is "an intentional tort that requires proof of two elements: (1) an
19 ulterior purpose for bringing a legal action other than resolving a dispute, and (2) a willful act in the
20 use of the legal process not proper in the regular conduct of the proceeding." *Las Vegas Fetish &*
21 *Fantasy Halloween Ball, Inc. v. Ahern Rentals, Inc.*, 182 P.3d 764, 767 (Nev. 2008) (citing *Posados*
22 *v. City of Reno*, 109 Nev. 448, 457, 851 P.2d 438, 444-445 (1993)).

23 16. In the instant case, there are no facts to establish a claim for abuse of process. Fannie
24 Mae argued in the prior unlawful detainer action that it obtained title via a foreclosure sale of the deed
25 of trust which included the manufactured homes as real property improvements. Plaintiff's MSJ at Ex.
26 10. Defendants in that action had the opportunity to dispute Fannie Mae's claims. To the extent they
27 disagreed with the results, they could have appealed. They did not. The Anthonys do not present any
28

1 facts demonstrating Fannie Mae had an ulterior motive for bringing this action other than to resolve a
2 valid legal dispute due to the Anthony's refusal to vacate the property.

3 17. Moreover, this claim is also barred by the three year statute of limitations, as it is also
4 based on Defendant's claim that Fannie Mae violated the UCC in foreclosing on the property.

5 ***Claim Preclusion Bars the Anthonys' Counter Claims***

6 18. Defendants' counterclaims are also barred here because they are compulsory counter
7 claims that should have been brought in Fannie Mae's 2012 eviction action.

8 19. Under NRCP 13(a), a claim is compulsory "if it arises out of the transaction or
9 occurrence that is the subject matter of the opposing party's claim." The relevant consideration is
10 whether the pertinent facts of the different claims are so logically related that issues of judicial
11 economy and fairness mandate all issues be tried in one suit. *See United States v. Aquavella*, 615 F.2d
12 12, 22 (2d. Cir. 1979).

13 20. Here, defendants' claims that the foreclosure sale did not include the manufactured
14 homes are logically related to Fannie Mae's 2012 action for possession of the property, specifically
15 the manufactured homes. Both claims arise out of the same transaction—the 2012 foreclosure sale.
16 The defendants allege plaintiff failed to perfect its interest in the property, failed to properly notice the
17 sale, and questioned whether the manufactured homes are sufficiently described under the security
18 instrument, the deed of trust. These counterclaims are so logically related to those in the eviction
19 action, where Fannie Mae sought to evict defendants from the manufactured home, judicial economy
20 and fairness mandates that defendants bring their counterclaims in the 2012 suit. *See Mendenhall v.*
21 *Tassinari*, 403 P.3d 364, 370–71 (Nev. 2017). But they were not.

22 21. Under Nevada law, claim preclusion applies where: (1) "the final judgment is valid,"
23 (2) "the parties or their privies are the same in the instant lawsuit as they were in the previous lawsuit,
24 or the defendant can demonstrate that he or she should have been included as a defendant in the earlier
25 suit and the plaintiff fails to provide a good reason for not having done so," and (3) "the subsequent
26 action is based on the same claims or any part of them that were *or could have been brought* in the
27 first case." *Weddell v. Sharp*, 350 P.3d 80, 85 (Nev. 2015) (en banc) (quotation and emphasis omitted).

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1 22. Here, there is a valid final judgment in the eviction action between Fannie Mae and
2 defendants. *See* Plaintiff's MSJ at Ex. 10. These are the same parties as in the instant litigation.
3 Defendants' counterclaims in this lawsuit are premised on Fannie Mae's alleged failure to perfect its
4 interest in the property in the foreclosure sale and Fannie Mae's alleged wrongful attempt to obtain
5 possession of the property without first complying with the UCC.

6 23. The counterclaims also allege Fannie Mae's underlying debt was extinguished in its
7 failure to comply with the UCC and therefore Fannie Mae does not have any rights to the manufactured
8 homes. Because Fannie Mae's eviction action sought a judicial determination that Fannie Mae obtained
9 title to and possession of the property, which included the manufactured homes, defendants' current
10 claims against Fannie Mae clearly could have been brought in that case. *See* Plaintiff's MSJ at Ex. 10.

11 24. It would be inequitable to allow Defendants to delay bringing claims to challenge the
12 foreclosure until after Fannie Mae potentially loses any rights to collect a judgment or cure the
13 foreclosure. If the Defendants had asserted their claims that the foreclosure was not proper in defense
14 of Fannie Mae's action confirming title and possession, Fannie Mae would have had an opportunity to
15 protect its rights by filing a deficiency action if necessary. Instead, plaintiffs delayed challenging the
16 foreclosure until Fannie Mae is prejudiced. *See Nevada State Bank v. Jamison Family Partnership*,
17 801 P.2d 1377, 106 Nev. 792 (1990).

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ORDER

Based on the foregoing findings of fact and conclusions of law,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff Federal National Mortgage Association's Motion for Summary Judgment is GRANTED and that Patricia Anthony and William Anthony's Partial Motion for Summary Judgment is DENIED. Judgment is entered in favor of Federal National Mortgage Association on all of Plaintiff's claims, and against Defendants on all of Defendants' counterclaims.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that William and Patricia Anthony are hereby PERMANENTLY ENJOINED from further occupying the property located at 3705 Anthony Place, Sun Valley, Nevada, APN No. 026-021-56, including the attached 1996 and 1997 Fuqua manufactured homes, identified with serial number 15233AC and serial number 15470.

IT IS FURTHER ORDERED that the Lis Pendens filed by Plaintiffs and referencing this litigation action is void and invalid, and is hereby expunged. This Order may be recorded in the office of the Las Vegas County Recorder.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the pending orders regarding injunctive relief and payment of rent shall expire on the date the Court files the Findings of Fact, Conclusions of Law and Judgment.

DATED: Aug 16, 2019


DISTRICT COURT JUDGE
CV17-00843

Respectfully Submitted by:

Approved as to form and content by:

Dated: August 16, 2019

Dated: August 16, 2019

AKERMAN LLP

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Exhibit 3

Exhibit 3



Second Judicial District Court
State of Nevada
Washoe County

Electronic Filing

Case Summary for Case: CV17-00843
FED'L NAT'L MORTG ASSC VS PATRICIA ANTHONY ETAL D8

Case Number CV17-00843
Case Type OTHER CIVIL MATTERS
Opened 05-02-2017
Status STAYED

Plaintiff FEDERAL NATIONAL MORTGAGE ASSOCIATION
Defendant PATRICIA LOUISE ANTHONY et al
Judge HONORABLE BARRY L. BRESLOW - Division D8

Show/Hide Participants

File Date	Case History
09-30-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7509856 - Approved By: NOREVIEW : 09-30-2019:09:03:30
09-30-2019 Defendant	Notice of Entry of Ord Filed by: MICHAEL C. LEHNERS, ESQ. Notice of Entry of Ord Transaction 7509850 - Approved By: NOREVIEW : 09-30-2019:09:02:29
09-25-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7502373 - Approved By: NOREVIEW : 09-25-2019:08:19:33
09-25-2019	Ord Granting/Denying in Part Filed Ord Granting/Denying in Part Transaction 7502370 - Approved By: NOREVIEW : 09-25-2019:08:18:33
09-24-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7501450 - Approved By: NOREVIEW : 09-24-2019:14:41:41
09-24-2019 Defendant	Withdrawal of Motion Filed by: MICHAEL C. LEHNERS, ESQ. Withdrawal of Motion WITHDRAWAL OF EX PARTE MOTION - Transaction 7501332 - Approved By: YVILORIA : 09-24-2019:14:40:47
09-20-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7495909 - Approved By: NOREVIEW : 09-20-2019:13:26:20
09-20-2019	Order... Filed Order ... FOR ADDITIONAL BRIEFING - Transaction 7495907 - Approved By: NOREVIEW : 09-20-2019:13:25:20
09-13-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7483786 - Approved By: NOREVIEW : 09-13-2019:14:06:35
09-13-2019	***Minutes Filed ***Minutes 9/6/19 CONFERENCE CALL - Transaction 7483784 - Approved By: NOREVIEW : 09-13-2019:14:05:35
09-05-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7467438 - Approved By: NOREVIEW : 09-05-2019:09:34:02
09-05-2019 Defendant	Request for Submission Filed by: MICHAEL C. LEHNERS, ESQ. Request for Submission Transaction 7467432 - Approved By: NOREVIEW : 09-05-2019:09:33:07 DOCUMENT TITLE: MOTION FOR STAY PENDING APPEAL PARTY SUBMITTING: MICHAEL C. LEHNERS, ESQ. DATE SUBMITTED: 5 SEP 2019 SUBMITTED BY: KHUDSON DATE RECEIVED JUDGE OFFICE:
09-03-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7461840 - Approved By: NOREVIEW : 09-03-2019:09:50:27
09-03-2019 Defendant	Reply to/in Opposition Filed by: MICHAEL C. LEHNERS, ESQ. Reply to/in Opposition DEFENDANTS' REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO STAY PENDING APPEAL - Transaction 7461712 - Approved By: CSULEZIC : 09-03-2019:09:49:04 - Exhibit 1 - Exhibit 2

08-29-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7456855 - Approved By: NOREVIEW : 08-29-2019:10:07:36
08-29-2019 Defendant	Notice of Entry of Ord Filed by: MICHAEL C. LEHNERS, ESQ. Notice of Entry of Ord Transaction 7456834 - Approved By: NOREVIEW : 08-29-2019:10:05:31
08-26-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7448855 - Approved By: NOREVIEW : 08-26-2019:10:03:00
08-26-2019	Ord Granting Mtn Filed Ord Granting Mtn ... TO STRIKE DOCUMENTS - Transaction 7448848 - Approved By: NOREVIEW : 08-26-2019:10:01:48
08-23-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7448317 - Approved By: NOREVIEW : 08-23-2019:16:51:36
08-23-2019 Plaintiff	Opposition to Mtn Filed by: DARREN T. BRENNER, ESQ. Opposition to Mtn ... FEDERAL NATIONAL MORTGAGE ASSOCIATION'S OPPOSITION TO PATRICIA ANTHONY AND WILLIAM ANTHONY'S MOTION TO STAY PENDING APPEAL - Transaction 7448157 - Approved By: YVILORIA : 08-23-2019:16:50:26
08-21-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7440896 - Approved By: NOREVIEW : 08-21-2019:09:13:11
08-21-2019 Defendant	Ex-Parte Mtn Filed by: MICHAEL C. LEHNERS, ESQ. Ex-Parte Mtn... EX PARTE MOTION TO STRIKE PLEADINGS - Transaction 7440625 - Approved By: YVILORIA : 08-21-2019:09:11:42
08-21-2019 Defendant	Request for Submission Filed by: MICHAEL C. LEHNERS, ESQ. Request for Submission REQUEST FOR SUBMISSION - Transaction 7440625 - Approved By: YVILORIA : 08-21-2019:09:11:42 DOCUMENT TITLE: EX PARTE MOTION TO STRIKE PLEADINGS PARTY SUBMITTING: MICHAEL LEHNERS ESQ DATE SUBMITTED: 8-21-19 SUBMITTED BY: YV DATE RECEIVED JUDGE OFFICE:
08-21-2019 Defendant	Ex-Parte Mtn Filed by: MICHAEL C. LEHNERS, ESQ. Ex-Parte Mtn... EX PARTE MOTION TO EXPUNGE RECORDED DOCUMENTS - Transaction 7440625 - Approved By: YVILORIA : 08-21-2019:09:11:42
08-21-2019 Defendant	Request for Submission Filed by: MICHAEL C. LEHNERS, ESQ. Request for Submission REQUEST FOR SUBMISSION - Transaction 7440625 - Approved By: YVILORIA : 08-21-2019:09:11:42 DOCUMENT TITLE: EX PARTE MOTION TO EXPUNGE RECORDED DOCUMENTS PARTY SUBMITTING: MICHAEL LEHNERS ESQ DATE SUBMITTED: 8-21-19 SUBMITTED BY: YV DATE RECEIVED JUDGE OFFICE:
08-19-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7436074 - Approved By: NOREVIEW : 08-19-2019:14:06:40
08-19-2019	Ord to File Filed Ord to File ... Transaction 7436068 - Approved By: NOREVIEW : 08-19-2019:14:05:22
08-16-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7431756 - Approved By: NOREVIEW : 08-16-2019:09:14:09
08-16-2019	Findings, Conclusions & Judg Filed Findings, Conclusions & Judg Transaction 7431740 - Approved By: NOREVIEW : 08-16-2019:09:10:55
08-15-2019	Objection to Filed Objection to ... DEFENDANTS' OBJECTION TO PROPOSED FINDINGS
08-14-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7429860 - Approved By: NOREVIEW : 08-14-2019:15:30:42
08-14-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7429849 - Approved By: NOREVIEW : 08-14-2019:15:29:12

05-14-2019 Plaintiff	<p>Response</p> <p>Filed by: DARREN T. BRENNER, ESQ.</p> <p>Response... RESPONSE TO ANTHONY'S OBJECTIONS TO PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON PARTIES MOTIONS FOR SUMMARY JUDGMENT - Transaction 7429834 - Approved By: YVILORIA : 08-14-2019:15:29:13</p>
08-14-2019 Plaintiff	<p>Notice of Appearance</p> <p>Filed by: DARREN T. BRENNER, ESQ.</p> <p>Notice of Appearance NOTICE OF APPEARANCE: WILLIAM HABDAS, ESQ / FEDERAL NATIONAL MORTGAGE ASSOCIATION - Transaction 7429817 - Approved By: YVILORIA : 08-14-2019:15:27:50</p>
08-08-2019	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 7418298 - Approved By: NOREVIEW : 08-08-2019:09:40:44</p>
08-08-2019 Plaintiff	<p>Proceedings</p> <p>Filed by: DARREN T. BRENNER, ESQ.</p> <p>Proceedings NOTICE ATTACHED - NOTICE OF STRICKEN DOCUMENT FILED 08/08/2019 STRIKING THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON PARTIES' MOTIONS FOR SUMMARY JUDGMENT FOR THE FOLLOWING REASON: DOCUMENT IS AN UNSIGNED ORDER THAT IS NOT IDENTIFIED AS A PROPOSED ORDER – WDCR 10(c)(1) (Proposed) Findings Of Fact, Conclusions Of Law And Order On Parties' Motions For Summary Judgment - Transaction 7418294 - Approved By: NOREVIEW : 08-08-2019:09:39:42</p> <ul style="list-style-type: none"> - Document
08-01-2019	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 7407018 - Approved By: NOREVIEW : 08-01-2019:13:59:35</p>
08-01-2019	<p>Supreme Court Receipt for Doc</p> <p>Filed</p> <p>Supreme Court Receipt for Doc SUPREME COURT NO. 79284 / RECEIPT FOR DOCUMENTS - Transaction 7407010 - Approved By: NOREVIEW : 08-01-2019:13:58:34</p>
08-01-2019	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 7406619 - Approved By: NOREVIEW : 08-01-2019:11:51:19</p>
08-01-2019 Defendant	<p>Notice</p> <p>Filed by: MICHAEL C. LEHNERS, ESQ.</p> <p>Notice ... NOTICE OF REQUEST OF TRANSCRIPT - Transaction 7406554 - Approved By: YVILORIA : 08-01-2019:11:50:14</p>
07-31-2019	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 7404065 - Approved By: NOREVIEW : 07-31-2019:12:54:42</p>
07-31-2019	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 7403950 - Approved By: NOREVIEW : 07-31-2019:12:11:37</p>
07-31-2019	<p>Transcript</p> <p>Filed</p> <p>Transcript JULY 8, 2019 ORAL ARGUMENTS - Transaction 7403948 - Approved By: NOREVIEW : 07-31-2019:12:10:40 : this document can only be accessed at the court</p>
07-31-2019 Defendant	<p>Mtn for Stay</p> <p>Filed by: MICHAEL C. LEHNERS, ESQ.</p> <p>Mtn for Stay ... DEFENDANTS' MOTION TO STAY PENDING APPEAL - Transaction 7403769 - Approved By: YVILORIA : 07-31-2019:12:53:48</p> <ul style="list-style-type: none"> - Exhibit 1
07-30-2019	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 7401471 - Approved By: NOREVIEW : 07-30-2019:11:38:14</p>
07-30-2019	<p>Supreme Court Receipt for Doc</p> <p>Filed</p> <p>Supreme Court Receipt for Doc SUPREME COURT NO. 79284 / RECEIPT FOR DOCUMENTS - Transaction 7401460 - Approved By: NOREVIEW : 07-30-2019:11:36:19</p>
07-26-2019	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 7396880 - Approved By: NOREVIEW : 07-26-2019:13:44:16</p>
07-26-2019	<p>***Minutes</p> <p>Filed</p> <p>***Minutes 7/8/19 ORAL ARGUMENTS - Transaction 7396871 - Approved By: NOREVIEW : 07-26-2019:13:40:59</p>
07-25-2019	<p>Notice of Electronic Filing</p> <p>Filed</p>

Proof of Electronic Service Transaction 7394347 - Approved By: NOREVIEW : 07-25-2019:13:44:37

Certificate of Clerk

Filed

07-25-2019

Certificate of Clerk CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 7394340 - Approved By: NOREVIEW : 07-25-2019:13:43:30

Notice of Electronic Filing

Filed

07-25-2019

Proof of Electronic Service Transaction 7394070 - Approved By: NOREVIEW : 07-25-2019:11:55:56

Case Appeal Statement

Filed by: MICHAEL C. LEHNERS, ESQ.

07-25-2019
Defendant

Case Appeal Statement Transaction 7394048 - Approved By: NOREVIEW : 07-25-2019:11:52:46

Notice of Electronic Filing

Filed

07-24-2019

Proof of Electronic Service Transaction 7390866 - Approved By: NOREVIEW : 07-24-2019:11:21:37

Notice of Electronic Filing

Filed

07-24-2019

Proof of Electronic Service Transaction 7390819 - Approved By: NOREVIEW : 07-24-2019:11:11:05

Notice of Electronic Filing

Filed

07-24-2019

Proof of Electronic Service Transaction 7390818 - Approved By: NOREVIEW : 07-24-2019:11:08:57

Affidavit of Attesting Witness

Filed by: PATRICIA LOUISE ANTHONY

07-24-2019
Defendant

Document withheld. Document Security Level Exceeded

Notice/Appeal Supreme Court

Filed by: MICHAEL C. LEHNERS, ESQ.

07-24-2019
Defendant

\$Notice/Appeal Supreme Court NOTICE OF APPEAL - Transaction 7390802 - Approved By: YVILORIA : 07-24-2019:11:09:18

Notice of Electronic Filing

Filed

07-24-2019

Proof of Electronic Service Transaction 7390483 - Approved By: NOREVIEW : 07-24-2019:09:44:34

Addendum

Filed by: PATRICIA LOUISE ANTHONY

07-24-2019
Defendant

Document withheld. Document Security Level Exceeded

Declaration

Filed by: PATRICIA LOUISE ANTHONY

07-24-2019
Defendant

Document withheld. Document Security Level Exceeded

Notice of Electronic Filing

Filed

07-18-2019

Proof of Electronic Service Transaction 7381806 - Approved By: NOREVIEW : 07-18-2019:16:25:52

Notice

Filed by: PATRICIA LOUISE ANTHONY

07-18-2019
Defendant

Document withheld. Document Security Level Exceeded

Notice

Filed by: PATRICIA LOUISE ANTHONY

07-18-2019
Defendant

Document withheld. Document Security Level Exceeded

Notice of Electronic Filing

Filed

07-10-2019

Proof of Electronic Service Transaction 7365132 - Approved By: NOREVIEW : 07-10-2019:12:11:23

Ord After Hearing

Filed

07-10-2019

Ord After Hearing... Transaction 7365126 - Approved By: NOREVIEW : 07-10-2019:12:10:21

Notice of Electronic Filing

Filed

05-28-2019

Proof of Electronic Service Transaction 7291079 - Approved By: NOREVIEW : 05-28-2019:15:41:56

Request for Submission

Filed by: MICHAEL C. LEHNERS, ESQ.

05-28-2019
Defendant

Request for Submission REQUEST FOR SUBMISSION - Transaction 7290759 - Approved By: YVILORIA : 05-28-2019:15:40:50
DOCUMENT TITLE: PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT FILED 4-26-19 PARTY SUBMITTING: MICHAEL LEHNERS ESQ DATE SUBMITTED: 5-28-19 SUBMITTED BY: YV DATE RECEIVED JUDGE OFFICE:

05-28-2019

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 7290672 - Approved By: NOREVIEW : 05-28-2019:14:16:31

Request for Submission

05-28-2019
Defendant

Filed by: MICHAEL C. LEHNERS, ESQ.

Request for Submission REQUEST FOR SUBMISSION - Transaction 7290430 - Approved By: YVILORIA : 05-28-2019:14:15:29
DOCUMENT TITLE: DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT FILED 4-19-19 PARTY SUBMITTING: MICHAEL
LEHNERS SQ DATE SUBMITTED: 5-28-19 SUBMITTED BY: YV DATE RECEIVED JUDGE OFFICE:

Notice of Electronic Filing

05-17-2019

Filed

Proof of Electronic Service Transaction 7276291 - Approved By: NOREVIEW : 05-17-2019:13:09:53

Reply to/in Opposition

05-17-2019
Defendant

Filed by: MICHAEL C. LEHNERS, ESQ.

Reply to/in Opposition DEFENDANTS' REPLY TO FANNIE MAE'S OPPOSITION TO DEFENDANTS MOTION FOR PARTIAL SUMMARY
JUDGMENT - Transaction 7275879 - Approved By: JAPARICI : 05-17-2019:13:08:24

Notice of Electronic Filing

05-14-2019

Filed

Proof of Electronic Service Transaction 7267851 - Approved By: NOREVIEW : 05-14-2019:09:00:45

Reply

05-14-2019
Plaintiff

Filed by: DARREN T. BRENNER, ESQ.

Reply... FEDERAL NATIONAL MORTGAGE ASSOCIATION'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT -
Transaction 7267630 - Approved By: CVERA : 05-14-2019:08:59:37

Notice of Electronic Filing

05-10-2019

Filed

Proof of Electronic Service Transaction 7265074 - Approved By: NOREVIEW : 05-10-2019:15:43:17

Opposition to Mtn

Filed by: DARREN T. BRENNER, ESQ.

Opposition to Mtn ... FEDERAL NATIONAL MORTGAGE ASSOCIATION'S OPPOSITION TO PATRICIA ANTHONY AND WILLIAM
ANTHONY'S MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 7265058 - Approved By: YVILORIA : 05-10-2019:15:42:12

- Exhibit 1
- Exhibit 2
- Exhibit 3
- Exhibit 4
- Exhibit 5
- Exhibit 6
- Exhibit 7
- Exhibit 8
- Exhibit 9
- Exhibit 10
- Exhibit 11
- Exhibit 12
- Exhibit 13
- Exhibit 14
- Exhibit 15

05-10-2019
Plaintiff

Notice of Electronic Filing

05-06-2019

Filed

Proof of Electronic Service Transaction 7255681 - Approved By: NOREVIEW : 05-06-2019:16:36:41

Opposition to Mtn

05-06-2019
Defendant

Filed by: MICHAEL C. LEHNERS, ESQ.

Opposition to Mtn ... DEFENDANTS' OPPOSITION TO FANNIE MAE'S MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction
7255258 - Approved By: YVILORIA : 05-06-2019:16:35:37

Notice of Electronic Filing

04-29-2019

Filed

Proof of Electronic Service Transaction 7241708 - Approved By: NOREVIEW : 04-29-2019:09:28:49

Mtn for Summary Judgment

04-29-2019
Plaintiff

Filed by: DARREN T. BRENNER, ESQ.

\$Mtn for Summary Judgment DFX: ALL EXHIBITS FILED UNDER EXHIBIT 1 - Federal National Mortgage Association's Motion for
Summary Judgment, or, Alternative, Partial Summary Judgment - Transaction 7241244 - Approved By: CSULEZIC : 04-29-
2019:09:27:32

- Exhibit 1

Notice of Electronic Filing

04-19-2019

Filed

Proof of Electronic Service Transaction 7229798 - Approved By: NOREVIEW : 04-19-2019:16:09:38

Certificate of Mailing

04-19-2019
Defendant

Filed by: MICHAEL C. LEHNERS, ESQ.

Certificate of Mailing Transaction 7229741 - Approved By: JAPARICI : 04-19-2019:16:08:38

04-19-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7229699 - Approved By: NOREVIEW : 04-19-2019:15:49:01
04-19-2019 Defendant	Mtn Partial Sum Judgment Filed by: MICHAEL C. LEHNERS, ESQ. \$Mtn Partial Sum Judgment DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 7229568 - Approved By: YVILORIA : 04-19-2019:15:47:53 - Exhibit 1 - Exhibit 2 - Exhibit 3
01-31-2019	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7095625 - Approved By: NOREVIEW : 01-31-2019:11:53:01
01-31-2019 Defendant	Notice Filed by: MICHAEL C. LEHNERS, ESQ. Notice ... NOTICE OF SETTLEMENT CONFERENCE -12:00 p.m. on March 15, 2019 - Transaction 7095500 - Approved By: KTOMBOW : 01-31-2019:11:51:46
12-07-2018	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 7012785 - Approved By: NOREVIEW : 12-07-2018:08:50:42
12-07-2018 Defendant	Notice of Taking Deposition Filed by: MICHAEL C. LEHNERS, ESQ. Notice of Taking Deposition AMENDED NOTICE OF TAKING DEPOSITION OF PMK FOR FEDERAL NATIONAL MORTGAGE ASSOCIATION - Transaction 7012641 - Approved By: YVILORIA : 12-07-2018:08:49:29
11-21-2018	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6987362 - Approved By: NOREVIEW : 11-21-2018:08:34:54
11-21-2018 Defendant	Notice of Entry of Ord Filed by: MICHAEL C. LEHNERS, ESQ. Notice of Entry of Ord Transaction 6987360 - Approved By: NOREVIEW : 11-21-2018:08:33:54
11-20-2018	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6986167 - Approved By: NOREVIEW : 11-20-2018:13:42:25
11-20-2018	Ord Affirming Master Recommend Filed Ord Affirming Master Recommend Transaction 6986153 - Approved By: NOREVIEW : 11-20-2018:13:40:57
11-08-2018	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6969106 - Approved By: NOREVIEW : 11-08-2018:14:01:46
11-08-2018	Master's Recommendation/Ord Filed Master's Recommendation/Ord RECOMMENDATION FOR ORDER - Transaction 6969103 - Approved By: NOREVIEW : 11-08-2018:14:00:46
10-16-2018	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6929697 - Approved By: NOREVIEW : 10-16-2018:08:25:31
10-16-2018 Plaintiff	Request for Submission Filed by: DARREN T. BRENNER, ESQ. Request for Submission - Transaction 6929604 - Approved By: PMSEWELL : 10-16-2018:08:24:21 DOCUMENT TITLE: MOTION FOR PROTECTIVE ORDER RE: NOTICED DEPOSITION OF FEDERAL NATIONAL MORTGAGE ASSOCIATION (NO ORDER PROVIDED) PARTY SUBMITTING: DARREN BRENNER, ESQ. DATE SUBMITTED: OCTOBER 15, 2018 SUBMITTED BY: PMSEWELL DATE RECEIVED JUDGE OFFICE:
10-11-2018	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6924722 - Approved By: NOREVIEW : 10-11-2018:17:33:46
10-11-2018 Plaintiff	Reply Filed by: DARREN T. BRENNER, ESQ. Reply... FEDERAL NATIONAL MORTGAGE ASSOCIATION'S REPLY IN SUPPORT OF MOTION FOR PROTECTIVE ORDER RE: NOTICED DEPOSITION OF FEDERAL NATIONAL MORTGAGE ASSOCIATION - Transaction 6924638 - Approved By: CSULEZIC : 10-11-2018:17:33:02
10-01-2018	Notice of Electronic Filing Filed

Proof of Electronic Service Transaction 6906343 - Approved By: NOREVIEW : 10-01-2018:17:27:04

Opposition to Mtn

Filed by: MICHAEL C. LEHNERS, ESQ.

10-01-2018
Defendant

Opposition to Mtn ... OPPOSITION TO MOTION FOR PROTECTIVE ORDER REGARDING NOTICED DEPOSITION - Transaction 6905553 - Approved By: PMSEWELL : 10-01-2018:17:26:05

- Exhibit 1
- Exhibit 2
- Exhibit 3
- Exhibit 4

Notice of Electronic Filing

Filed

09-14-2018

Proof of Electronic Service Transaction 6880889 - Approved By: NOREVIEW : 09-14-2018:14:08:38

Mtn for Protective Ord

Filed by: DARREN T. BRENNER, ESQ.

09-14-2018
Plaintiff

Mtn for Protective Ord MOTION FOR PROTECTIVE ORDER RE: NOTICED DEPOSITION OF FEDERAL NATIONAL MORTGAGE ASSOCIATION - Transaction 6880827 - Approved By: CSULEZIC : 09-14-2018:14:07:44

- Exhibit 1
- Exhibit 2

Notice of Electronic Filing

Filed

08-20-2018

Proof of Electronic Service Transaction 6837733 - Approved By: NOREVIEW : 08-20-2018:13:11:46

Notice of Taking Deposition

Filed by: MICHAEL C. LEHNERS, ESQ.

08-20-2018
Defendant

Notice of Taking Deposition Transaction 6837210 - Approved By: BBLOUGH : 08-20-2018:13:09:16

Notice of Electronic Filing

Filed

07-25-2018

Proof of Electronic Service Transaction 6794546 - Approved By: NOREVIEW : 07-25-2018:11:05:13

Ord Approving

Filed

07-25-2018

Ord Approving ... STIPULATION RE: INJUNCTIVE RELIEF - Transaction 6794538 - Approved By: NOREVIEW : 07-25-2018:11:03:46

Notice of Electronic Filing

Filed

07-13-2018

Proof of Electronic Service Transaction 6774793 - Approved By: NOREVIEW : 07-13-2018:09:45:58

Notice

Filed by: MICHAEL C. LEHNERS, ESQ.

07-13-2018
Defendant

Notice ... NOTICE OF SUBPOENA DUCES TECUM - Transaction 6774499 - Approved By: CSULEZIC : 07-13-2018:09:44:21

Notice of Electronic Filing

Filed

06-12-2018

Proof of Electronic Service Transaction 6723863 - Approved By: NOREVIEW : 06-12-2018:09:33:35

Stipulation

Filed by: DARREN T. BRENNER, ESQ.

06-12-2018
Plaintiff

Stipulation ... REGARDING INJUNCTIVE RELIEF - Transaction 6723585 - Approved By: JAPARICI : 06-12-2018:09:32:25

- Exhibit 1

Notice of Electronic Filing

Filed

05-01-2018

Proof of Electronic Service Transaction 6657524 - Approved By: NOREVIEW : 05-01-2018:15:44:50

Scheduling Order

Filed

05-01-2018

Scheduling Order Transaction 6657494 - Approved By: NOREVIEW : 05-01-2018:15:41:34

Notice of Electronic Filing

Filed

04-30-2018

Proof of Electronic Service Transaction 6654406 - Approved By: NOREVIEW : 04-30-2018:13:46:56

Application for Setting - eFile

Filed

04-30-2018

Application for Setting eFile Transaction 6654401 - Approved By: NOREVIEW : 04-30-2018:13:46:02

Notice of Electronic Filing

Filed

04-18-2018

Proof of Electronic Service Transaction 6637002 - Approved By: NOREVIEW : 04-18-2018:16:49:35

Substitution of Counsel

Filed by: DARREN T. BRENNER, ESQ.

04-18-2018
Plaintiff

Substitution of Counsel DARREN BRENNER, ESQ. FOR FEDERAL NATIONAL MORTGAGE IN PLACE OF MATTHEW DAYTON, ESQ. -

Transaction 6636930 - Approved By: PMSEWELL : 04-18-2018:16:48:13

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6630752 - Approved By: NOREVIEW : 04-16-2018:12:16:30

Notice to Set

Filed by: MICHAEL C. LEHNERS, ESQ.

Notice to Set 04/30/18 @10:30AM - Transaction 6630390 - Approved By: CVERA : 04-16-2018:12:15:41

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6622506 - Approved By: NOREVIEW : 04-10-2018:17:25:45

Pre-Trial Order

Filed

Pre-Trial Order Transaction 6622505 - Approved By: NOREVIEW : 04-10-2018:17:24:56

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6607182 - Approved By: NOREVIEW : 04-02-2018:12:33:05

NRCP 16.1 Doc/Designation

Filed by: MICHAEL C. LEHNERS, ESQ.

NRCP 16.1 Doc/Designation DEFENDANTS' NRCP 16.1 INITIAL DISCLOSURES - Transaction 6607060 - Approved By: YVILORIA : 04-02-2018:12:32:07

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6591454 - Approved By: NOREVIEW : 03-22-2018:14:48:11

Exemption from Arbitration

Filed

Exemption from Arbitration Transaction 6591426 - Approved By: NOREVIEW : 03-22-2018:14:45:24

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6563882 - Approved By: NOREVIEW : 03-06-2018:15:04:04

Joint Case Conference Report

Filed by: MICHAEL C. LEHNERS, ESQ.

Joint Case Conference Report Transaction 6563628 - Approved By: CSULEZIC : 03-06-2018:15:03:05

- Exhibit 1
- Exhibit 2
- Exhibit 3
- Exhibit 4
- Exhibit 5
- Exhibit 6
- Exhibit 7
- Exhibit 8
- Exhibit 9
- Exhibit 10

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6498558 - Approved By: NOREVIEW : 01-25-2018:11:50:14

Notice of Entry of Ord

Filed by: MICHAEL C. LEHNERS, ESQ.

Notice of Entry of Ord NOTICE OF ENTRY OF ORDER APPROVING STIPULATION RE: STATUS HEARING - Transaction 6498520 - Approved By: PMSEWELL : 01-25-2018:11:49:27

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6494052 - Approved By: NOREVIEW : 01-23-2018:13:12:58

Notice of Early Case Conferenc

Filed by: MICHAEL C. LEHNERS, ESQ.

Notice of Early Case Conferenc Transaction 6494049 - Approved By: NOREVIEW : 01-23-2018:13:12:00

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6491508 - Approved By: NOREVIEW : 01-22-2018:12:14:36

Ord Appointing

Filed

Ord Appointing ... STIPULATION RE: STATUS HEARING - Transaction 6491501 - Approved By: NOREVIEW : 01-22-2018:12:13:35

Notice of Electronic Filing

	Filed Proof of Electronic Service Transaction 6486583 - Approved By: NOREVIEW : 01-18-2018:10:51:00
01-18-2018 Defendant	Request for Submission Filed by: MICHAEL C. LEHNERS, ESQ. Request for Submission Transaction 6486289 - Approved By: YVILORIA : 01-18-2018:10:47:46 DOCUMENT TITLE: STIPULATION RE: STATUS HEARING PARTY SUBMITTING: MICHAEL C. LEHNERS ESQ DATE SUBMITTED: JAN 18, 2018 SUBMITTED BY: YV DATE RECEIVED JUDGE OFFICE:
01-17-2018	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6484587 - Approved By: NOREVIEW : 01-17-2018:13:27:07
01-17-2018 Defendant	Stipulation Filed by: MICHAEL C. LEHNERS, ESQ. Stipulation ... Transaction 6484404 - Approved By: SWILLIAM : 01-17-2018:13:26:07
01-05-2018	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6467979 - Approved By: NOREVIEW : 01-05-2018:11:42:31
01-05-2018	***Minutes Filed ***Minutes 11/13/17 CONFERENCE CALL - Transaction 6467974 - Approved By: NOREVIEW : 01-05-2018:11:41:39
11-30-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6415773 - Approved By: NOREVIEW : 11-30-2017:10:04:17
11-30-2017	Notice of Change of Address Filed Notice of Change of Address Notice Of Change Of Address - Transaction 6415326 - Approved By: PMSEWELL : 11-30-2017:10:03:14
10-13-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6345596 - Approved By: NOREVIEW : 10-13-2017:09:07:01
10-13-2017	Answer to Counterclaim-Civil Filed Answer to Counterclaim-Civil COUNTERDEFENDANT FEDERAL NATIONAL MORTGAGE ASSOCIATION'S ANSWER TO COUNTERCLAIM AND AFFIRMATIVE DEFENSES - Transaction 6345412 - Approved By: PMSEWELL : 10-13-2017:09:06:00
10-03-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6328880 - Approved By: NOREVIEW : 10-03-2017:15:08:52
10-03-2017	Ord Return of Appeal Bond Filed Ord Return of Appeal Bond Transaction 6328873 - Approved By: NOREVIEW : 10-03-2017:15:07:51
10-02-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6326295 - Approved By: NOREVIEW : 10-02-2017:14:15:51
10-02-2017 Defendant	Notice of Entry of Ord Filed by: MICHAEL C. LEHNERS, ESQ. Notice of Entry of Ord Transaction 6326291 - Approved By: NOREVIEW : 10-02-2017:14:15:05
09-28-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6322567 - Approved By: NOREVIEW : 09-28-2017:13:52:15
09-28-2017	Stip and Order Filed Stip and Order... TO CONTINUE HEARING AND EXTEND THE STAY OF AUGUST 7, 2017, ORDER - Transaction 6322564 - Approved By: NOREVIEW : 09-28-2017:13:51:15
09-07-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6288582 - Approved By: NOREVIEW : 09-07-2017:15:33:33
09-07-2017	Stip and Order Filed Stip and Order... CONCERNING TEMPORARY STAY OF PRELIMINARY INJUNCTION - Transaction 6288575 - Approved By: NOREVIEW : 09-07-2017:15:32:32
09-07-2017	Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6287251 - Approved By: NOREVIEW : 09-07-2017:11:12:08

Supreme Ct Ord Dismiss Appeal

09-07-2017

Filed

Supreme Ct Ord Dismiss Appeal SUPREME COURT NO. 73761 / ORDER DISMISSING APPEAL - Transaction 6287240 - Approved By: NOREVIEW : 09-07-2017:11:11:07

Notice of Electronic Filing

08-31-2017

Filed

Proof of Electronic Service Transaction 6277768 - Approved By: NOREVIEW : 08-31-2017:10:41:53

Request

08-31-2017
Defendant

Filed by: MICHAEL C. LEHNERS, ESQ.

Request REQUEST FOR REFUND OF APPEAL FEES - Transaction 6277254 - Approved By: PMSEWELL : 08-31-2017:10:40:49

Notice of Electronic Filing

08-24-2017

Filed

Proof of Electronic Service Transaction 6265968 - Approved By: NOREVIEW : 08-24-2017:11:44:27

***Minutes

08-24-2017

Filed

***Minutes 8/22/17 CONFERENCE CALL - Transaction 6265953 - Approved By: NOREVIEW : 08-24-2017:11:43:15

Notice of Electronic Filing

08-24-2017

Filed

Proof of Electronic Service Transaction 6265553 - Approved By: NOREVIEW : 08-24-2017:10:17:06

***Minutes

08-24-2017

Filed

***Minutes 8/2/17 PRELIMINARY INJUNCTION - Transaction 6265546 - Approved By: NOREVIEW : 08-24-2017:10:16:04

Notice of Electronic Filing

08-22-2017

Filed

Proof of Electronic Service Transaction 6260780 - Approved By: NOREVIEW : 08-22-2017:08:50:47

Notice of Electronic Filing

08-22-2017

Filed

Proof of Electronic Service Transaction 6260675 - Approved By: NOREVIEW : 08-22-2017:08:24:19

Ord Striking

08-22-2017

Filed

Ord Striking ... Transaction 6260670 - Approved By: NOREVIEW : 08-22-2017:08:23:27

Notice of Electronic Filing

08-21-2017

Filed

Proof of Electronic Service Transaction 6260474 - Approved By: NOREVIEW : 08-21-2017:16:45:59

Notice of Electronic Filing

08-21-2017

Filed

Proof of Electronic Service Transaction 6260446 - Approved By: NOREVIEW : 08-21-2017:16:43:10

Ex-Parte Mtn

08-21-2017
Defendant

Filed by: MICHAEL C. LEHNERS, ESQ.

Ex-Parte Mtn... EX PARTE MOTION STAY EFFECT OF AUGUST 7, 2017 ORDER GRANTING PRELIMINARY INJUNCTION - Transaction 6260371 - Approved By: YVILORIA : 08-22-2017:08:49:54

Affidavit in Support

08-21-2017
Defendant

Filed by: MICHAEL C. LEHNERS, ESQ.

Affidavit in Support... AFFIDAVIT OF COUNSEL IN SUPPORT OF EX PARTE MOTION STAY EFFECT OF AUGUST 7, 2017 ORDER GRANTING PRELIMINARY INJUNCTION - Transaction 6260371 - Approved By: YVILORIA : 08-22-2017:08:49:54

Request for Submission

08-21-2017
Defendant

Filed by: MICHAEL C. LEHNERS, ESQ.

Request for Submission Transaction 6260371 - Approved By: YVILORIA : 08-22-2017:08:49:54 DOCUMENT TITLE: EX PARTE MOTION TO STAY EFFECT OF AUGUST 7, 2017 ORDER GRANTING PRELIMINARY INJUNCTION PARTY SUBMITTING: MICHAEL C. LEHNERS ESQ DATE SUBMITTED: AUG 22, 2017 SUBMITTED BY: YVILORIA DATE RECEIVED JUDGE OFFICE:

Notice of Electronic Filing

08-21-2017

Filed

Proof of Electronic Service Transaction 6260295 - Approved By: NOREVIEW : 08-21-2017:16:22:34

Notice

08-21-2017
Defendant

Filed by: MICHAEL C. LEHNERS, ESQ.

Notice ... NOTICE OF WITHDRAWAL OF NOTICE OF APPEAL WITHOUT PREJUDICE - Transaction 6260220 - Approved By: NMASON : 08-21-2017:16:44:49

08-21-2017

Mtn Alter or Amend Judgment

Defendant	<p>Filed by: MICHAEL C. LEHNERS, ESQ.</p> <p>Mtn Alter or Amend Judgment MOTION TO ALTER OR AMEND ORDER GRANTING PRELIMINARY INJUNCTION - Transaction 6260150 - Approved By: YVILORIA : 08-21-2017:16:41:13</p> <ul style="list-style-type: none"> - Exhibit 1 - Exhibit 2 - Exhibit 3 - Exhibit 4 - Exhibit 5 - Exhibit 6 - Exhibit 7 - Exhibit 8 - Exhibit 9 - Exhibit 10
08-21-2017 Defendant	<p>Answer</p> <p>Filed by: MICHAEL C. LEHNERS, ESQ.</p> <p>Answer ... ANSWER AND COUNTERCLAIM - Transaction 6260076 - Approved By: CSULEZIC : 08-21-2017:16:21:28</p>
08-18-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6258225 - Approved By: NOREVIEW : 08-18-2017:16:32:24</p>
08-18-2017	<p>Supreme Court Receipt for Doc</p> <p>Filed</p> <p>Supreme Court Receipt for Doc SUPREME COURT NO. 73761 / RECEIPT FOR DOCUMENTS - Transaction 6258220 - Approved By: NOREVIEW : 08-18-2017:16:31:23</p>
08-18-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6258101 - Approved By: NOREVIEW : 08-18-2017:16:03:52</p>
08-18-2017 Defendant	<p>Substitution of Counsel</p> <p>Filed by: MICHAEL C. LEHNERS, ESQ.</p> <p>Substitution of Counsel MICHAEL LEHNERS ESQ - Transaction 6257877 - Approved By: CSULEZIC : 08-18-2017:16:02:50</p>
08-16-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6253771 - Approved By: NOREVIEW : 08-16-2017:16:12:06</p>
08-16-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6253766 - Approved By: NOREVIEW : 08-16-2017:16:11:26</p>
08-16-2017	<p>Ord Striking</p> <p>Filed</p> <p>Ord Striking ... Transaction 6253764 - Approved By: NOREVIEW : 08-16-2017:16:11:15</p>
08-16-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6253757 - Approved By: NOREVIEW : 08-16-2017:16:10:15</p>
08-16-2017	<p>Order...</p> <p>Filed</p> <p>Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6253760 - Approved By: NOREVIEW : 08-16-2017:16:10:42</p>
08-16-2017	<p>Ord Striking</p> <p>Filed</p> <p>Ord Striking ... Transaction 6253754 - Approved By: NOREVIEW : 08-16-2017:16:09:24</p>
08-16-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6251492 - Approved By: NOREVIEW : 08-16-2017:08:22:38</p>
08-16-2017	<p>Case Appeal Statement</p> <p>Filed</p> <p>Case Appeal Statement Transaction 6251488 - Approved By: NOREVIEW : 08-16-2017:08:21:38</p>
08-16-2017	<p>Certificate of Clerk</p> <p>Filed</p> <p>Certificate of Clerk CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 6251488 - Approved By: NOREVIEW : 08-16-2017:08:21:38</p>
08-16-2017	<p>Notice/Appeal Supreme Court</p> <p>Filed</p>
08-16-2017	<p>Notice of Electronic Filing</p> <p>Filed</p>

Proof of Electronic Service Transaction 6251244 - Approved By: NOREVIEW : 08-15-2017:16:28:13

Mtn to Dismiss Case

Filed by: PATRICIA LOUISE ANTHONY

Mtn to Dismiss Case Notice: with prejudice: NRCP 12 (b) 1, 2, 3, 4, and 5 Revised - Transaction 6251231 - Approved By: SWOLFE : 08-15-2017:16:27:12
- Exhibit 1

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6250074 - Approved By: NOREVIEW : 08-15-2017:12:29:36

Order...

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6250072 - Approved By: NOREVIEW : 08-15-2017:12:28:46

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6250068 - Approved By: NOREVIEW : 08-15-2017:12:27:48

Order...

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6250065 - Approved By: NOREVIEW : 08-15-2017:12:26:44

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6250035 - Approved By: NOREVIEW : 08-15-2017:12:14:45

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6249971 - Approved By: NOREVIEW : 08-15-2017:11:51:33

Order...

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249969 - Approved By: NOREVIEW : 08-15-2017:11:50:33

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6249966 - Approved By: NOREVIEW : 08-15-2017:11:49:32

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6249964 - Approved By: NOREVIEW : 08-15-2017:11:48:53

Order...

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249963 - Approved By: NOREVIEW : 08-15-2017:11:48:41

Order...

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249962 - Approved By: NOREVIEW : 08-15-2017:11:48:02

Order...

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249962 - Approved By: NOREVIEW : 08-15-2017:11:48:02

Order...

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249962 - Approved By: NOREVIEW : 08-15-2017:11:48:02

Order...

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249962 - Approved By: NOREVIEW : 08-15-2017:11:48:02

Order...

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249962 - Approved By: NOREVIEW : 08-15-2017:11:48:02

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6249956 - Approved By: NOREVIEW : 08-15-2017:11:47:03

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249953 - Approved By: NOREVIEW : 08-15-2017:11:46:12

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249953 - Approved By: NOREVIEW : 08-15-2017:11:46:12

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249953 - Approved By: NOREVIEW : 08-15-2017:11:46:12

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249953 - Approved By: NOREVIEW : 08-15-2017:11:46:12

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249953 - Approved By: NOREVIEW : 08-15-2017:11:46:12

Notice of Electronic Filing

08-15-2017

Filed

Proof of Electronic Service Transaction 6249949 - Approved By: NOREVIEW : 08-15-2017:11:44:14

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249944 - Approved By: NOREVIEW : 08-15-2017:11:43:16

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249944 - Approved By: NOREVIEW : 08-15-2017:11:43:16

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249941 - Approved By: YVILORIA : 08-15-2017:12:13:52

Notice of Electronic Filing

08-15-2017

Filed

Proof of Electronic Service Transaction 6249936 - Approved By: NOREVIEW : 08-15-2017:11:40:00

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249933 - Approved By: NOREVIEW : 08-15-2017:11:39:12

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249933 - Approved By: NOREVIEW : 08-15-2017:11:39:12

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249933 - Approved By: NOREVIEW : 08-15-2017:11:39:12

Order...

08-15-2017

Filed

Order ... ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6249933 - Approved By: NOREVIEW : 08-15-2017:11:39:12

Notice of Electronic Filing

08-15-2017

Filed

Proof of Electronic Service Transaction 6249640 - Approved By: NOREVIEW : 08-15-2017:10:54:47

Notice of Electronic Filing

08-15-2017

Filed

Proof of Electronic Service Transaction 6249633 - Approved By: NOREVIEW : 08-15-2017:10:54:05

08-15-2017	Ord Striking Filed Ord Striking ... TRANSACTION #6221382 - Transaction 6249629 - Approved By: NOREVIEW : 08-15-2017:10:53:47
08-15-2017	Ord Striking Filed Ord Striking ... TRANSACTION #6219292 - Transaction 6249623 - Approved By: NOREVIEW : 08-15-2017:10:53:11
08-15-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6249043 - Approved By: NOREVIEW : 08-15-2017:08:49:33
08-15-2017	Other ... Filed Other ... Transaction 6249037 - Approved By: JAPARICI : 08-15-2017:08:48:31
08-14-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6248373 - Approved By: NOREVIEW : 08-14-2017:16:01:33
08-14-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6248363 - Approved By: NOREVIEW : 08-14-2017:15:59:00
08-14-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6248357 - Approved By: NOREVIEW : 08-14-2017:15:58:37
08-14-2017 Defendant	Supplemental ... Filed by: PATRICIA LOUISE ANTHONY Supplemental ... Claim E- Ntcs: Judicial.; Claimants Responses: Writs, ORDERS, etc; Demand: Trial by Jury preserved - Transaction 6248352 - Approved By: SWOLFE : 08-14-2017:15:58:50 - Exhibit 1 - Exhibit 2 - Exhibit 3
08-14-2017 Defendant	Supplemental ... Filed by: PATRICIA LOUISE ANTHONY Supplemental ... Claim F- Ntcs: ACC ... 303US; Power of Atty Revocation, etc.; ... - Transaction 6248310 - Approved By: SWOLFE : 08-14-2017:15:57:18 - Exhibit 1 - Exhibit 2 - Exhibit 3 - Exhibit 4
08-14-2017 Defendant	Supplemental ... Filed by: PATRICIA LOUISE ANTHONY Supplemental ... Claim D(b) Ntcs: Corrections, Cert. Svcs, Attachment Index & 1-4; T#6246175 - Transaction 6248283 - Approved By: SWOLFE : 08-14-2017:15:57:54 - Exhibit 1 - Exhibit 2 - Exhibit 3 - Exhibit 4
08-14-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6248124 - Approved By: NOREVIEW : 08-14-2017:15:07:06
08-14-2017 Defendant	Supplemental ... Filed by: PATRICIA LOUISE ANTHONY Supplemental ... ClaimA: Attachment 6: 14 Land Patent Ntcs. UCC... Transaction # 6246173 - Transaction 6248114 - Approved By: SWOLFE : 08-14-2017:15:06:03
08-14-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6248040 - Approved By: NOREVIEW : 08-14-2017:14:50:32
08-14-2017 Defendant	Mtn Dismiss with Prejudice Filed by: PATRICIA LOUISE ANTHONY Mtn Dismiss with Prejudice Case Dismissal Order:NRCP 12(b) 1 through 5, ... - Transaction 6248034 - Approved By: SWOLFE : 08-14-2017:14:49:48 - Exhibit 1
08-14-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6246906 - Approved By: NOREVIEW : 08-14-2017:10:51:49
08-14-2017	Other ...

Defendant	<p>Filed by: PATRICIA LOUISE ANTHONY</p> <p>Other ... NOTICE OF CONDITIONAL ACCEPTANCE; SETTLEMENT OFFER; HEARING FOR CLARIFICATION /RESPONSE - Transaction 6246895 - Approved By: BBLOUGH : 08-14-2017:10:49:44</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246376 - Approved By: NOREVIEW : 08-14-2017:08:49:23</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246371 - Approved By: NOREVIEW : 08-14-2017:08:47:39</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246369 - Approved By: NOREVIEW : 08-14-2017:08:47:32</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246367 - Approved By: NOREVIEW : 08-14-2017:08:47:33</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246365 - Approved By: NOREVIEW : 08-14-2017:08:46:48</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246362 - Approved By: NOREVIEW : 08-14-2017:08:45:48</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246343 - Approved By: NOREVIEW : 08-14-2017:08:40:27</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246338 - Approved By: NOREVIEW : 08-14-2017:08:38:48</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246333 - Approved By: NOREVIEW : 08-14-2017:08:38:03</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246327 - Approved By: NOREVIEW : 08-14-2017:08:37:03</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246310 - Approved By: NOREVIEW : 08-14-2017:08:32:56</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246301 - Approved By: NOREVIEW : 08-14-2017:08:30:27</p>
08-14-2017	<p>Notice of Electronic Filing</p> <p>Filed</p> <p>Proof of Electronic Service Transaction 6246251 - Approved By: NOREVIEW : 08-14-2017:08:06:04</p>
08-13-2017 Plaintiff	<p>Claim</p> <p>Filed by: PATRICIA LOUISE ANTHONY</p> <p>Claim... Claim Q-Notices: Plaintiff/Respondent Grand Larceny Evidence; Demand: Trial by Jury Right preserved Transaction 6246225 - Approved By: SWILLIAM : 08-14-2017:08:48:19</p> <ul style="list-style-type: none"> - Exhibit 1
08-13-2017 Defendant	<p>Claim</p> <p>Filed by: PATRICIA LOUISE ANTHONY</p> <p>Claim... Claim L-Notices... OMNIBUS... Transformed: Order: ... Permanent Injunction, Writ... Transaction 6246224 - Approved By: SWILLIAM : 08-14-2017:08:46:28</p> <ul style="list-style-type: none"> - Exhibit 1 - Exhibit 2
08-13-2017 Defendant	<p>Claim</p> <p>Filed by: PATRICIA LOUISE ANTHONY</p> <p>Claim... Claim K-Notices: CERTIFICATES OF DISHONOR: ORDER: Alleged ATTORNEYS; Order to Dismiss Case; ... Transaction 6246223 - Approved By: SWILLIAM : 08-14-2017:08:44:44</p> <ul style="list-style-type: none"> - Exhibit 1
08-13-2017 Defendant	<p>Claim</p> <p>Filed by: PATRICIA LOUISE ANTHONY</p> <p>Claim... Claim I-Notices: Writ of Error: ORDER: F... ACC Power of Attorney Revocation, etc. Transaction 6246222 - Approved By:</p>

SWILLIAM : 08-14-2017:08:39:18

- Exhibit 1
- Exhibit 2

Claim

Filed by: PATRICIA LOUISE ANTHONY

Claim... E-Ntcs: New Judicial; Claimants Responses: Writs, ORDERS, etc.; Demand: "trial by Jury" right preserved - Transaction 6246205 - Approved By: CSULEZIC : 08-14-2017:08:46:54

Claim

Filed by: PATRICIA LOUISE ANTHONY

Claim... Cb-Ntcs: Re-conveyance of Deed;... Declarations; UCC1 filing; Demand Trial by Jury preserved - Transaction 6246203 - Approved By: CSULEZIC : 08-14-2017:08:46:19

- Exhibit 1
- Exhibit 2
- Exhibit 3

Claim

Filed by: PATRICIA LOUISE ANTHONY

Claim... Bb-Ntcs: Affidavit of Truth & ProbableCause; Sheriff... Stipulation... Tbj, Response; Demand trial by jury preserved - Transaction 6246202 - Approved By: CSULEZIC : 08-14-2017:08:45:37

- Exhibit 1

Claim

Filed by: PATRICIA LOUISE ANTHONY

Claim... F- Ntcs: ACC...303US; Power of Attorney Revocation, etc; Demand "trial by Jury" preserved - Transaction 6246176 - Approved By: CSULEZIC : 08-14-2017:08:37:51

Claim

Filed by: PATRICIA LOUISE ANTHONY

Claim... D(b)- Ntcs: Law & Judicial Ntcs; Claimants Public Records, un rebutted; Demand "Trial by Jury" preserved - Transaction 6246175 - Approved By: CSULEZIC : 08-14-2017:08:36:38

Claim

Filed by: PATRICIA LOUISE ANTHONY

Claim... F- Ntcs: ACC...303US; Power of Attorney Revocation, etc; Demand "trial by Jury" preserved - Transaction 6246174 - Approved By: CSULEZIC : 08-14-2017:08:36:02

Claim

Filed by: PATRICIA LOUISE ANTHONY

Claim... A-Notices: 14 Land Patent Ntcs., UCC Lien against Plaintiff, UCC SUMMONS, Demand "Trial by Jury" reserved - Transaction 6246173 - Approved By: CSULEZIC : 08-14-2017:08:31:33

- Exhibit 1
- Exhibit 2
- Exhibit 3
- Exhibit 4

Claim

Filed by: PATRICIA LOUISE ANTHONY

Claim... R(b) Notices: Conditional Acceptance; Settlement Offer; Hearing Clarification/ Response; Demand "Trial by Jury" preserved - Transaction 6246171 - Approved By: CSULEZIC : 08-14-2017:08:29:25

- Exhibit 1

Notice/Appeal Supreme Court

Filed by: PATRICIA LOUISE ANTHONY

Notice of Appeal Supreme Court DFX: FILING FEE OF \$34.00 DUE, CANNOT REJECT NOA'S FOR FEES - YV Transaction 6246170 - Approved By: YVILORIA : 08-14-2017:08:05:10

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6245764 - Approved By: NOREVIEW : 08-11-2017:15:21:32

Claim

Filed by: PATRICIA LOUISE ANTHONY

Claim... R-Notices:Cond.Acceptance;SettlementOffer;HearingClarification/Response;*Demand:"trialbyjury"preserved - Transaction 6245762 - Approved By: SWOLFE : 08-11-2017:15:20:43

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6240130 - Approved By: NOREVIEW : 08-09-2017:13:40:52

Ord Striking

Filed

Ord Striking ... TRANSACTION #6211662 - Transaction 6240120 - Approved By: NOREVIEW : 08-09-2017:13:40:02

Notice of Electronic Filing

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Proof of Electronic Service Transaction 6240113 - Approved By: NOREVIEW : 08-09-2017:13:39:22

08-01-2017
Ord Striking
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Ord Striking ... TRANSACTION #61211773 - Transaction 6240104 - Approved By: NOREVIEW : 08-09-2017:13:38:31

08-01-2017
Notice of Electronic Filing
Filed
Proof of Electronic Service Transaction 6240099 - Approved By: NOREVIEW : 08-09-2017:13:37:49

08-01-2017
Ord Striking
Filed
Ord Striking ... TRANSACTION #6211780 - Transaction 6240095 - Approved By: NOREVIEW : 08-09-2017:13:36:58

08-08-2017
Notice of Electronic Filing
Filed
Proof of Electronic Service Transaction 6238278 - Approved By: NOREVIEW : 08-08-2017:14:57:56

08-08-2017
Notice
Filed by: GREGORY L. WILDE, ESQ.
Notice ... Notice Of Posting Preliminary Injunction Bond - Transaction 6238189 - Approved By: CSULEZIC : 08-08-2017:14:56:59

08-08-2017
Notice of Electronic Filing
Filed
Proof of Electronic Service Transaction 6237824 - Approved By: NOREVIEW : 08-08-2017:13:21:46

08-08-2017
Cure Order - Filing Deficiency
Filed
Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6237817 - Approved By: NOREVIEW : 08-08-2017:13:20:45

08-07-2017
Notice of Electronic Filing
Filed
Proof of Electronic Service Transaction 6235835 - Approved By: NOREVIEW : 08-07-2017:14:51:42

08-07-2017
Preliminary Injunction Order
Filed
Preliminary Injunction Order Transaction 6235822 - Approved By: NOREVIEW : 08-07-2017:14:50:44

08-07-2017
Notice of Electronic Filing
Filed
Proof of Electronic Service Transaction 6235819 - Approved By: NOREVIEW : 08-07-2017:14:50:18

08-07-2017
Ord Striking
Filed
Ord Striking ... DOCUMENT [Counterclaim. Action of Law: Trespasses and Bad Faith, et al., (transaction #6185309) FROM RECORD - ks] - Transaction 6235812 - Approved By: NOREVIEW : 08-07-2017:14:49:21

08-07-2017
Notice of Electronic Filing
Filed
Proof of Electronic Service Transaction 6235777 - Approved By: NOREVIEW : 08-07-2017:14:46:14

08-07-2017
Ord Striking
Filed
Ord Striking ... DOCUMENT [Claim ... WRIT OF ERROR ... CASE DISMISSAL (transaction #6207168) FROM RECORD - ks] - Transaction 6235768 - Approved By: NOREVIEW : 08-07-2017:14:45:10

08-06-2017
Notice of Electronic Filing
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Proof of Electronic Service Transaction 6234289 - Approved By: NOREVIEW : 08-06-2017:14:05:55

08-06-2017
Transcript
Filed
Transcript JULY 3, 2017 HEARING ON PRELIMINARY INJUNCTION (CORRECTED) - Transaction 6234288 - Approved By: NOREVIEW : 08-06-2017:14:04:55 : this document can only be accessed at the court

08-04-2017
Notice of Electronic Filing
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Proof of Electronic Service Transaction 6232639 - Approved By: NOREVIEW : 08-04-2017:10:18:29

08-04-2017
Notice of Electronic Filing
Filed
Proof of Electronic Service Transaction 6232638 - Approved By: NOREVIEW : 08-04-2017:10:18:04

08-04-2017
Notice of Electronic Filing
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Proof of Electronic Service Transaction 6232631 - Approved By: NOREVIEW : 08-04-2017:10:17:25

08-04-2017
Cure Order - Filing Deficiency
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Cure Order - Filing Deficiency ORDER TO STRIKE DOCUMENT - Transaction 6232632 - Approved By: NOREVIEW : 08-04-2017:10:17:25

Cure Order - Filing Deficiency

Filed

Cure Order - Filing Deficiency ORDER TO STRIKE DOCUMENT - Transaction 6232629 - Approved By: NOREVIEW : 08-04-2017:10:17:04

Cure Order - Filing Deficiency

Filed

Cure Order - Filing Deficiency ORDER TO STRIKE DOCUMENT - Transaction 6232627 - Approved By: NOREVIEW : 08-04-2017:10:16:23

Notice of Electronic Filing

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Proof of Electronic Service Transaction 6229192 - Approved By: NOREVIEW : 08-02-2017:15:49:52

Notice of Electronic Filing

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Proof of Electronic Service Transaction 6229195 - Approved By: NOREVIEW : 08-02-2017:15:49:53

Cure Order - Filing Deficiency

Filed

Cure Order - Filing Deficiency Transaction 6229175 - Approved By: NOREVIEW : 08-02-2017:15:48:28

Cure Order - Filing Deficiency

Filed

Cure Order - Filing Deficiency Transaction 6229174 - Approved By: NOREVIEW : 08-02-2017:15:48:27

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6228362 - Approved By: NOREVIEW : 08-02-2017:13:18:12

Claim

Filed by: PATRICIA LOUISE ANTHONY

Document withheld. Document Security Level Exceeded

- Document withheld. Document Security Level Exceeded

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6225835 - Approved By: NOREVIEW : 08-01-2017:13:01:12

Exemption from Arbitration

Filed

Exemption from Arbitration Transaction 6225833 - Approved By: NOREVIEW : 08-01-2017:13:00:24

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6225812 - Approved By: NOREVIEW : 08-01-2017:12:54:22

Other ...

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Other ...

Filed

Document withheld. Document Security Level Exceeded

Notice of Electronic Filing

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Proof of Electronic Service Transaction 6223834 - Approved By: NOREVIEW : 07-31-2017:15:25:31

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6223825 - Approved By: NOREVIEW : 07-31-2017:15:24:31

Cure Order - Filing Deficiency

Filed

Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6223826 - Approved By: NOREVIEW : 07-31-2017:15:24:32

Cure Order - Filing Deficiency

Filed

Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6223822 - Approved By: NOREVIEW : 07-31-2017:15:23:40

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6221388 - Approved By: NOREVIEW : 07-28-2017:15:10:25

Claim

07-28-2017
NOREVIEW

Filed by: PATRICIA LOUISE ANTHONY

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Notice of Electronic Filing

07-27-2017

Filed

Proof of Electronic Service Transaction 6219293 - Approved By: NOREVIEW : 07-27-2017:16:58:18

Claim

07-27-2017
NOREVIEW

Filed by: PATRICIA LOUISE ANTHONY

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Notice of Electronic Filing

07-25-2017

Filed

Proof of Electronic Service Transaction 6212615 - Approved By: NOREVIEW : 07-25-2017:10:18:09

Cure Order - Filing Deficiency

07-25-2017

Filed

Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6212605 - Approved By: NOREVIEW : 07-25-2017:10:17:08

Notice of Electronic Filing

07-25-2017

Filed

Proof of Electronic Service Transaction 6212599 - Approved By: NOREVIEW : 07-25-2017:10:16:39

Notice of Electronic Filing

07-25-2017

Filed

Proof of Electronic Service Transaction 6212592 - Approved By: NOREVIEW : 07-25-2017:10:16:01

Cure Order - Filing Deficiency

07-25-2017

Filed

Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6212589 - Approved By: NOREVIEW : 07-25-2017:10:15:43

Cure Order - Filing Deficiency

07-25-2017

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Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6212581 - Approved By: NOREVIEW : 07-25-2017:10:15:01

Notice of Electronic Filing

07-25-2017

Filed

Proof of Electronic Service Transaction 6212478 - Approved By: NOREVIEW : 07-25-2017:09:48:24

Notice of Electronic Filing

07-25-2017

Filed

Proof of Electronic Service Transaction 6212475 - Approved By: NOREVIEW : 07-25-2017:09:47:44

Ord Striking

07-25-2017

Filed

Ord Striking ... TRANSACTION #6185309 - Transaction 6212474 - Approved By: NOREVIEW : 07-25-2017:09:47:26

Notice of Electronic Filing

07-25-2017

Filed

Proof of Electronic Service Transaction 6212471 - Approved By: NOREVIEW : 07-25-2017:09:46:54

Ord Striking

07-25-2017

Filed

Ord Striking ... TRANSACTION #6185329 - Transaction 6212470 - Approved By: NOREVIEW : 07-25-2017:09:46:45

Ord Striking

07-25-2017

Filed

Ord Striking ... TRANSACTION #6185338 - Transaction 6212466 - Approved By: NOREVIEW : 07-25-2017:09:45:54

Notice of Electronic Filing

07-24-2017

Filed

Proof of Electronic Service Transaction 6211785 - Approved By: NOREVIEW : 07-24-2017:17:19:30

Notice of Electronic Filing

07-24-2017

Filed

Proof of Electronic Service Transaction 6211784 - Approved By: NOREVIEW : 07-24-2017:17:19:10

Claim

07-24-2017
NOREVIEW

Filed by: PATRICIA LOUISE ANTHONY

Document withheld. Document Security Level Exceeded
 - Document withheld. Document Security Level Exceeded

Claim

07-24-2017
 Defendant

Filed by: PATRICIA LOUISE ANTHONY
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Notice of Electronic Filing

07-24-2017

Filed
 Proof of Electronic Service Transaction 6211747 - Approved By: NOREVIEW : 07-24-2017:16:59:19

Claim

07-24-2017
 Defendant

Filed by: PATRICIA LOUISE ANTHONY
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Notice of Electronic Filing

07-21-2017

Filed
 Proof of Electronic Service Transaction 6208292 - Approved By: NOREVIEW : 07-21-2017:12:05:59

Notice of Electronic Filing

07-21-2017

Filed
 Proof of Electronic Service Transaction 6208284 - Approved By: NOREVIEW : 07-21-2017:12:01:49

Notice of Electronic Filing

07-21-2017

Filed
 Proof of Electronic Service Transaction 6208279 - Approved By: NOREVIEW : 07-21-2017:12:00:49

Cure Order - Filing Deficiency

07-21-2017

Filed
 Cure Order - Filing Deficiency AMENDED ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6208280 - Approved By: NOREVIEW : 07-21-2017:12:00:49

Cure Order - Filing Deficiency

07-21-2017

Filed
 Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6208276 - Approved By: NOREVIEW : 07-21-2017:11:59:43

Notice of Electronic Filing

07-21-2017

Filed
 Proof of Electronic Service Transaction 6208211 - Approved By: NOREVIEW : 07-21-2017:11:44:16

Certificate of Service

07-21-2017
 Court

Filed by: GREGORY L. WILDE, ESQ.
 Certificate of Service Certificate of Service - Transaction 6207881 - Approved By: CSULEZIC : 07-21-2017:12:05:11

Supplemental ...

07-21-2017
 Court

Filed by: GREGORY L. WILDE, ESQ.
 Supplemental ... Supplement to Application for Issuance of a Permanent Injunction and Omnibus Reply to Defendant's Pleadings - Transaction 6207856 - Approved By: CSULEZIC : 07-21-2017:11:43:32
 - Exhibit 1
 - Exhibit 2
 - Exhibit 3

Notice of Electronic Filing

07-20-2017

Filed
 Proof of Electronic Service Transaction 6207222 - Approved By: NOREVIEW : 07-20-2017:17:23:13

Claim

07-20-2017
 Defendant

Filed by: PATRICIA LOUISE ANTHONY
 Document withheld. Document Security Level Exceeded
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Notice of Electronic Filing

07-20-2017

Filed
 Proof of Electronic Service Transaction 6207094 - Approved By: NOREVIEW : 07-20-2017:16:47:43

Cure Order - Filing Deficiency

07-20-2017

Filed
 Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6207087 - Approved By: NOREVIEW : 07-20-2017:16:46:51

Notice of Electronic Filing

07-20-2017

Filed
 Proof of Electronic Service Transaction 6207056 - Approved By: NOREVIEW : 07-20-2017:16:41:11

07-20-2017

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6207052 - Approved By: NOREVIEW : 07-20-2017:16:40:42

Cure Order - Filing Deficiency

Filed

Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6207051 - Approved By: NOREVIEW : 07-20-2017:16:40:20

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6207050 - Approved By: NOREVIEW : 07-20-2017:16:40:09

Cure Order - Filing Deficiency

Filed

Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6207043 - Approved By: NOREVIEW : 07-20-2017:16:39:19

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6202445 - Approved By: NOREVIEW : 07-18-2017:17:07:48

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6202443 - Approved By: NOREVIEW : 07-18-2017:17:07:17

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6202441 - Approved By: NOREVIEW : 07-18-2017:17:06:26

Claim

Filed by: PATRICIA LOUISE ANTHONY

Document withheld. Document Security Level Exceeded

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Claim

Filed by: PATRICIA LOUISE ANTHONY

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Claim

Filed by: PATRICIA LOUISE ANTHONY

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Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6196473 - Approved By: NOREVIEW : 07-14-2017:11:50:05

***Minutes

Filed

***Minutes 7/3/17 PRELIM. INJUNCTION - Transaction 6196470 - Approved By: NOREVIEW : 07-14-2017:11:49:16

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6196236 - Approved By: NOREVIEW : 07-14-2017:11:04:11

Transcript

Filed

Transcript JULY 3, 2017 HEARING ON PRELIMINARY INJUNCTION - Transaction 6196233 - Approved By: NOREVIEW : 07-14-2017:11:03:11 : this document can only be accessed at the court

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6194675 - Approved By: NOREVIEW : 07-13-2017:15:05:59

Ord Modifying

Filed

Ord Modifying... TEMPORARY RESTRAINING ORDER - Transaction 6194670 - Approved By: NOREVIEW : 07-13-2017:15:05:02

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6191655 - Approved By: NOREVIEW : 07-12-2017:13:01:45

07-12-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6191652 - Approved By: NOREVIEW : 07-12-2017:13:01:45
07-12-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6191654 - Approved By: NOREVIEW : 07-12-2017:13:01:45
07-12-2017	Cure Order - Filing Deficiency Filed Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6191642 - Approved By: NOREVIEW : 07-12-2017:13:00:38
07-12-2017	Cure Order - Filing Deficiency Filed Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6191640 - Approved By: NOREVIEW : 07-12-2017:13:00:37
07-12-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6191638 - Approved By: NOREVIEW : 07-12-2017:12:58:20
07-12-2017	Cure Order - Filing Deficiency Filed Cure Order - Filing Deficiency ORDER TO COMPORT WITH WASHOE DISTRICT COURT RULE 10 - Transaction 6191641 - Approved By: NOREVIEW : 07-12-2017:13:00:37
07-12-2017	Cure Order - Filing Deficiency Filed Cure Order - Filing Deficiency ORDER TO PAY FILING FEE - Transaction 6191634 - Approved By: NOREVIEW : 07-12-2017:12:55:58
07-12-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6190939 - Approved By: NOREVIEW : 07-12-2017:10:29:56
07-12-2017 November	Claim Filed by: PATRICIA LOUISE ANTHONY Claim... CAUSE#RB406117555US ACTION AT LAW: TRESPASSES AND BAD FAITH; D- ADMISSIONS NOTICES: LAW & JUDICIAL NOTICES; CLAIMANTS PUBLIC RECORDS, UNREBUTTED;DEMANDTBJ - Transaction 6190918 - Approved By: SWOLFE : 07-12-2017:10:28:51 <ul style="list-style-type: none"> - Exhibit 1 - Exhibit 2 - Exhibit 3 - Exhibit 4
07-07-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6185356 - Approved By: NOREVIEW : 07-07-2017:17:05:21
07-07-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6185344 - Approved By: NOREVIEW : 07-07-2017:17:00:51
07-07-2017 November	Claim Filed by: PATRICIA LOUISE ANTHONY Document withheld. Document Security Level Exceeded <ul style="list-style-type: none"> - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded
07-07-2017	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 6185330 - Approved By: NOREVIEW : 07-07-2017:16:57:04
07-07-2017 November	Claim Filed by: PATRICIA LOUISE ANTHONY Document withheld. Document Security Level Exceeded <ul style="list-style-type: none"> - Document withheld. Document Security Level Exceeded
07-07-2017 November	Counterclaim Filed by: PATRICIA LOUISE ANTHONY Document withheld. Document Security Level Exceeded <ul style="list-style-type: none"> - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded
07-07-2017	Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6174987 - Approved By: NOREVIEW : 06-30-2017:09:48:30

Certificate

Filed by: GREGORY L. WILDE, ESQ.

Certificate ... Certificate Of Service - Transaction 6174665 - Approved By: PMSEWELL : 06-30-2017:09:47:33

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6168777 - Approved By: NOREVIEW : 06-27-2017:12:42:04

Notice

Filed by: GREGORY L. WILDE, ESQ.

Notice ... NOTICE OF POSTING COST BOND - Transaction 6168773 - Approved By: CVERA : 06-27-2017:12:39:28

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6162958 - Approved By: NOREVIEW : 06-22-2017:16:02:08

Temporary Restraining Order

Filed

Temporary Restraining Order AND SETTING HEARING ON APPLICATION FOR PRELIMINARY INJUNCTION - Transaction 6162955 - Approved By: NOREVIEW : 06-22-2017:16:01:08

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6161362 - Approved By: NOREVIEW : 06-22-2017:09:52:55

Request for Submission

Filed by: GREGORY L. WILDE, ESQ.

Request for Submission Transaction 6161295 - Approved By: YVILORIA : 06-22-2017:09:51:59 DOCUMENT TITLE: PLAINTIFF'S MOTION FOR TEMPORARY RESTRAINING ORDER AND APPLICATION FOR ISSUANCE OF PRELIMINARY INJUNCTION FILED ON MAY 2, 2017 PARTY SUBMITTING: GREGORY L WILDE ESQ DATE SUBMITTED: JUNE 22, 2017 SUBMITTED BY: YVILORIA DATE RECEIVED JUDGE OFFICE:

Notice of Electronic Filing

Filed

Proof of Electronic Service Transaction 6079403 - Approved By: NOREVIEW : 05-02-2017:11:11:31

Motion

Filed by: GREGORY L. WILDE, ESQ.

Motion ... MOTION FOR TEMPORARY RESTRAINING ORDER AND APPLICATION ION FOR ISSUANCE OF PRELIMINARY INJUNCTION - Transaction 6079205 - Approved By: YVILORIA : 05-02-2017:11:10:39

Complaint - Civil

Filed by: GREGORY L. WILDE, ESQ.

\$Complaint - Civil COMPLAINT FOR TRESSPASS & INJUNCTIVE RELIEF - Transaction 6078761 - Approved By: TBRITTON : 05-02-2017:09:15:12

- Exhibit 1
- Exhibit 2
- Exhibit 3
- Exhibit 4

Initial Appear. Fee Disclosure

Filed by: GREGORY L. WILDE, ESQ.

Initial Appear. Fee Disclosure INITIAL APPEARANCE FEE DISCLOSURE - Transaction 6078761 - Approved By: TBRITTON : 05-02-2017:09:15:12

Exhibit 4

Exhibit 4

1 MICHAEL LEHNERS, ESQ.
2 Nevada State Bar No.: 3331
3 429 Marsh Avenue
4 Reno, NV 89509
5 (775) 786-1695
6 Attorney for Defendants

7 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

8 IN AND FOR COUNTY OF WASHOE

9 oOo

10 FEDERAL NATIONAL MORTGAGE
11 ASSOCIATION,

12 Plaintiff,

CASE NO.: CV17-00843

13 vs.

DEPT. NO.: 8

14 PATRICIA ANTHONY, WILLIAM ANTHONY
15 and/or Occupants, 1-5,

16 Defendants.
17 _____/

18 **AMENDED NOTICE OF APPEAL**

19 Notice is hereby given that Defendants, PATRICIA ANTHONY and
20 WILLIAM ANTHONY, by and through their Attorney, Michael Lehnern, Esq.,
21 hereby file an Amended Notice of Appeal.

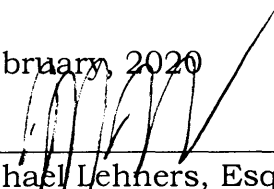
22 The Notice of Appeal of the District Court's July 10, 2019 that was filed
23 on July 24, 2019. While that order did resolve all issues between all parties, it
24 also directed the Plaintiff to prepare findings of fact and they were adopted by
25 the District Court and filed on August 16, 2019. This Amended Notice of
26 Appeal is being filed to include an appeal of the August 16, 2019 Findings of
27 Fact, Conclusion of Law and Order in addition to the District Court's July 10,
28 2019 Order.

1 Counsel wishes to advise the court that no Notice of Entry of the August
2 16, 2019 Findings of Fact, Conclusion of Law and Order of Parties Motion for
3 Summary Judgment has been filed with this court, so the appeal of those
4 findings is timely. Copies of both the July 10, 2019 Order and August 16, 2019
5 supplemental Findings are attached hereto.
6

7
8 **Affirmation**
Pursuant to NRS 239B.030

9 The Undersigned does hereby affirm that the preceding document filed in the case herein does not contain the social
10 security number of any person.

11 Dated: This 11 day of February, 2020

12 
13 Michael Lehnert, Esq.
14 Attorney for Defendants
15 Patricia and William Anthony
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3 **CERTIFICATE OF SERVICE BY MAIL**
4

5 Pursuant to Nevada Rule of Civil Procedure 5(b), I certify that on the 11
6 day of February, 2020 I deposited for mailing in the United States Post Office in
7 Reno, Nevada, with postage thereon fully prepaid, a true copy of the within

8 **AMENDED NOTICE OF APPEAL** addressed as follows:
9

10 Darren Brenner, Esq.
11 Akerman, LLP
12 1635 Village Center Circle
Suite 200
Las Vegas, Nv 89134

13
14 A copy of this Notice is also served upon Ackerman, LLP through the
15 court's Eflex System.
16

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19 _____
Dolores Stigall
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IN THE SECOND JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Case No. CV17-00843

Dept. No. 8

Plaintiff,

v.

PATRICIA ANTHONY, WILLIAM
ANTHONY, and/or Occupants 1-5,

Defendants,

PATRICIA ANTHONY, WILLIAM
ANTHONY,

Counterclaimants,

v.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Counterdefendant.

ORDER AFTER HEARING

The Court heard argument on competing motions for summary judgment on July 8, 2019. Darren T. Brenner, Esq., appeared for Plaintiff/Counterdefendant, Federal National Mortgage Association's ("FNMA") and Michael Lehnert, Esq.,

1 appeared for Defendants/Counterclaimants Patricia Anthony and William Anthony
2 ("the Anthonys").

3 Having reviewed the record and having considered the authorities and
4 positions advanced by counsel, the Court GRANTS FNMA's *Motion for Summary*
5 *Judgment* on its claim against the Anthonys for trespass; and GRANTS FNMA's
6 *Motion for Summary Judgment* against the Anthonys on their counterclaims. The
7 Anthonys' *Motion for Partial Summary Judgment* is accordingly DENIED.

8 Accordingly, and good cause appearing,

9 Counsel for FNMA is ORDERED to prepare proposed "Findings of Fact,
10 Conclusions of Law and Judgment" consistent with its points and authorities and
11 as argued on the record July 8, 2019. It shall also include the granting of a
12 permanent injunction against the Anthonys' further occupation of the subject
13 premises. The document is to be prepared and served upon counsel for the
14 Anthonys for review as to form no later than July 26, 2016.

15 Counsel are ORDERED to personally confer on any issues or concerns raised
16 by Anthonys' counsel no later than August 2, 2019.

17 Counsel for FNMA is ORDERED to file a proposed final version with the Court
18 no later than August 7, 2019, as well as email the document to chambers in "Word"
19 format. Counsel for the Anthonys may file any objections to the proposed Findings
20 of Fact and Conclusions of Law and Judgment no later than August 9, 2019.

21 The Court will thereafter review and enter Findings of Fact, Conclusions of
22 Law and Judgment as set forth above.

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Unless otherwise agreed to in writing by the parties and approved by the Court, the pending orders regarding injunctive relief and payment of rent shall expire on the date the Court files the Findings of Fact, Conclusions of Law and Judgment.

IT IS SO ORDERED.

DATED this 10 day of July, 2019.


BARRY L. BRESLOW
DISTRICT JUDGE

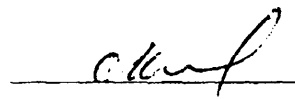
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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Second Judicial District Court of the State of Nevada, in and for the County of Washoe; and that on this date I electronically filed the foregoing with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following:

DARREN T. BRENNER, ESQ.
MICHAEL LEHNERS, ESQ.

DATED this 10 day of July, 2019.



DARREN T. BRENNER, ESQ.
Nevada Bar No. 8386
JAMIE K. COMBS, ESQ.
Nevada Bar No. 13088
AKERMAN LLP
1635 Village Center Circle, Suite 200
Las Vegas, Nevada 89134
Telephone: (702) 634-5000
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Email: jamie.combs@akerman.com
Attorney for Federal National Mortgage Association

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Plaintiff,

v.

PATRICIA ANTHONY, WILLIAM
ANTHONY, and/or Occupants 1-5,

Defendants.

PATRICIA ANTHONY, WILLIAM
ANTHONY,

Counterclaimant,

v.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Counterdefendant.

Case No.: Case No. CV17-00843

Dept. No.: 8

B43
**(PROPOSED) FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER
ON PARTIES' MOTIONS FOR
SUMMARY JUDGMENT**

This matter came for decision on plaintiff/ counter-defendant Federal National Mortgage Association (**Fannie Mae or plaintiff**) and defendants/counter-claimants PATRICIA ANTHONY and WILLIAM ANTHONY (**Anthonys or defendants**)'s Motions for Summary Judgment. The Court, having reviewed the papers and pleadings on file, being fully advised of the grounds for relief therein, and good cause appearing therefore, finds and concludes as follows:

...

FINDINGS OF FACTS

The Anthonys Presented The Property, Including Both Manufactured Homes, As Real Property Collateral For The Loan.

1. In late 2000, the Anthonys purchased two manufactured homes from Trinity Homes, Inc., their employer for over 20 years. The bigger manufactured home is a 1996 Fuqua Golden Eagle, Serial no. 15233AC, 38'6" by 66'8". (1996 Fuqua). The smaller manufactured home is a 1997 Fugua Eagle Ridge, Serial no. 15470, 25'8" by 48'. (1997 Fuqua). Plaintiff's MSJ, at Exhibit 1.

2. On November 17, 2000, William Anthony, on behalf of Trinity Homes, Inc., filed a "Dealer's Report of Sale" with the Manufacture Housing Division of Nevada's Department of Business and Industry. Plaintiff's MSJ at Exhibit 1. The Report of Sale only references serial number 15233AC (the 1997 Fuqua), but it also provides the trade name of "Eagle Pointe" and "Golden Eagle 953". William Anthony signed the "Affidavit of Dealer" on behalf of Trinity, certifying the cost of the structure as \$129,274.76. Plaintiff's MSJ at Exhibit 1.

3. The manufactured homes were physically located at 3705 Anthony Place, Sun Valley, Nevada and they were attached to each other. The Anthonys recorded one "Affidavit of Conversion of Manufactured/Manufactured Home to Real Property", on November 22, 2000 as Doc. # 2502064. Plaintiff's MSJ at Exhibit 2. Though the Affidavit of Conversion only identifies the "Eagle Ridge" model and model year "1997" for the structure they were seeking to convert, the Anthonys provided each manufactured home's serial number and the dimensions for each—indicating again that both manufactured homes were one.

4. The Affidavit of Conversion included both manufactured homes as the property to be converted. Though only the year "1997" and model name "Eagle Ridge" are identified, the serial numbers for each manufactured home and the dimensions for each are included as descriptions of the property. Plaintiff's MSJ at Exhibit 2.

5. In June 2002, the Anthonys obtained a refinance loan in the amount of \$214,400 from Capitol Commerce Mortgage Co. Plaintiff's MSJ at Exhibit 3.

...

...

1 6. The Loan Application indicates the Anthonys were seeking a loan not for vacant land,
2 but for their residence, built in 2000. Plaintiff's MSJ at Exhibit 4. The Application states they
3 purchased the home for \$270,000.

4 7. The Anthonys authorized an interior appraisal of the home at the time of the loan,
5 further evidencing their intent to encumber the residence. Plaintiff's MSJ at Exhibit 5.

6 8. The appraisal reflects one manufactured home that had multiple upgrades. The total
7 square footage was listed at 3,798 square feet. The appraisal noted that the home included 7 bedrooms
8 and 4 bathrooms, an attached porch, and crawl space underneath. Utilities were attached. Photographs
9 attached to the appraisal reflect one unit with one address number placed on the front of the home.
10 Plaintiff's MSJ at Exhibit 5.

11 9. The appraisal noted that the tongue and groove were removed to make the
12 manufactured homes a fixture on the property. Plaintiff's MSJ at Exhibit 5.

13 10. The appraisal specifically noted it did not include personal property in determining the
14 appraised value, which was \$268,000. Plaintiff's MSJ at Exhibit 5.

15 11. When the Anthonys refinanced they had worked for the manufactured home company
16 for more than twenty years. Plaintiff's MSJ at Exhibit 4. The application also showed the Anthonys
17 owned 8 other properties. *Id.* These are sophisticated borrowers who know how to title the property.

18 ***The Anthonys Sign the DOT, Default on the Loan, and Fannie Mae Forecloses.***

19 12. The Anthonys were approved for a loan in the amount of \$214,400, evidenced by a
20 promissory note and secured by a deed of trust recorded against the property commonly described as
21 3705 Anthony Place, Sun Valley, Nevada (**the Property**). Plaintiff's MSJ at Exhibit 3, and Exhibit 6.

22 13. In signing the deed of trust, the Anthonys granted the trustee under the deed of trust the
23 power of sale for the property that includes the land:

24 "TOGETHER WITH all the improvements now or hereafter erected on the property.
25 All of the foregoing is referred to in this Security Instrument as the 'Property'. ..."

26 Plaintiff's MSJ at Exhibit 6, p. 3.

27 14. The Anthonys also signed a Certificate of Occupancy stating they intended to reside in
28 the home as their primary residence. Plaintiff's MSJ at Exhibit 15.

15. Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP serviced the loan since July 26, 2002.

16. A notice of default was recorded, followed by a notice of sale. Plaintiff's MSJ at Ex. 7.

17. Fannie Mae completed its foreclosure sale in 2012 and became the owner of the property by way of a credit bid. The Trustee Deed Upon Sale was recorded April 26, 2012. Plaintiff's MSJ at Exhibit 9.

Fannie Mae Initiates an Unlawful Detainer Action.

18. After obtaining title to the property at the foreclosure sale, Fannie Mae brought an unlawful detainer action on June 6, 2012. Plaintiff's MSJ at Exhibit 10.

19. The court granted summary judgment for Fannie Mae in the unlawful detainer action. In doing so, the court noted that the Anthonys appeared and had an opportunity to challenge Fannie Mae's title to the Property. They were notified that Fannie Mae sought possession of the home by way of the foreclosure action, yet did not challenge it or present any defenses. Plaintiff's MSJ at Exhibit 10 at pg. 6 ¶¶4-5.

20. Fannie Mae obtained a judgment of possession and a permanent writ of restitution on February 6, 2013 and again on July 6, 2016. Plaintiff's MSJ at Exhibit 11.

21. The Anthonys refuse to vacate the property.

Post-Foreclosure Activity Regarding Title.

22. In October 2012, six months after the foreclosure sale, William Anthony filed an Affidavit Application for Certificate of Ownership of the 1996 Fuqua, claiming the title company lost the statement of origin. Plaintiff's MSJ at Exhibit 12.

23. In October 2015, Fannie Mae recorded an Affidavit Conversion of Manufactured/Manufactured Home to Real Property as document number 4523526 concerning the 1996 Fuqua. Plaintiff's MSJ at Exhibit 13.

Plaintiff Files This Action To Obtain An Order Of Trespass To Remove The Anthonys and Obtain Permanent Injunctive Relief.

24. Because the Anthonys would not vacate the property, on May 2, 2017, Fannie Mae brought this action to obtain an order of trespass and injunctive relief to prevent the Anthonys from

1 interfering with the removal of their personal belongings from the home and preventing the Anthonys
2 from re-entering the premises or interfering with plaintiff's quiet enjoyment.

3 25. The parties agreed to a temporary injunction allowing the Anthonys to continue to
4 reside in the property in exchange for \$800 per month and payment of insurance and taxes. The
5 Anthonys have continued to make those payments.

6 26. On August 21, 2017, the Anthonys filed their counterclaim for Violation of Article
7 Nine of the UCC, Conversion, and Abuse of Process/ Excessive Attachment.

8 CONCLUSIONS OF LAW

9 *Legal Standard*

10 1. "Summary judgment is appropriate . . . when the pleadings, depositions, answers to
11 interrogatories, admissions, and affidavits, if any, that are properly before the court demonstrate that
12 no genuine issue of material fact exists, and that the moving party is entitled to judgment as a matter
13 of law." *Wood v. Safeway, Inc.*, 121 P.3d 1026, 1031 (Nev. 2005). "While the pleadings and other
14 evidence must be construed in the light most favorable to the nonmoving party, that party has the
15 burden to 'do more than simply show that there is some metaphysical doubt' as to the operative facts
16 to defeat a motion for summary judgment." *Id.* at 1031 (quoting *Matsushita Elec. Indus. Co. v. Zenith*
17 *Radio*, 475 U.S. 574, 586 (1986)).

18 *Fannie Mae is Entitled to Summary Judgment on its Claim for Trespass*

19 2. To establish a cause of action for trespass, one must show that a property right was
20 invaded. *Lied v. Clark Cty.*, 94 Nev. 275, 278–79, 579 P.2d 171, 173–74 (1978). Interference with
21 the "exclusive right to the possession of his land and complete control thereof to the exclusion of any
22 right of another to enter upon it... [that] is vested in [every property owner]" constitutes trespass. *Flick*
23 *v. Nev. Fish and Game Commission*, 75 Nev. 100, 103, 335 P.2d 422, 423 (1959). Thus, one is liable
24 to another for trespass, irrespective of whether he thereby causes harm to any legally protected interest
25 of the other, if he intentionally:

- 26 (a) enters land in the possession of the other, or causes a thing or a third
27 person to do so, or
28 (b) remains on the land, or
(c) fails to remove from the land a thing which he is under a duty to remove.

1 Restatement (Second) of Torts § 158 (1965) (emphasis added); *see also id.* at comment (i).

2 3. Fannie Mae obtained title to the property in April 2012 via the foreclosure sale pursuant
3 to the deed of trust. In signing the deed of trust, the Anthonys permitted the trustee under the deed of
4 trust to sell the property, which included all improvements to the land. Plaintiff's MSJ at Ex. 6. The
5 improvements included the entire home (the connected manufactured homes).

6 4. The undisputed evidence demonstrates the manufactured homes were the purpose and
7 collateral of the loan. Plaintiff's MSJ at Ex. 4, 5.

8 5. There is no genuine dispute of material fact that the Anthonys entered onto Fannie
9 Mae's Property in 2012, and remained in possession of the property without consent despite having no
10 right to be on the property. The court therefore grants summary judgment in favor of Fannie Mae on
11 its trespass cause of action.

12 ***Fannie Mae is Entitled to Summary Judgment on the Counter Claims.***

13 6. The Court enters summary judgment in favor of Fannie Mae and against Defendants
14 on each of their counterclaims. Defendants claim Fannie Mae: (1) sold the manufactured homes in
15 violation of the UCC in 2012; (2) attempted possession of the manufactured homes in 2013 and 2016
16 without legal rights; and (3) converted title of the 1996 Fuqua to Fannie Mae from the defendants in
17 2015. The undisputed facts demonstrate that Fannie Mae properly foreclosed on the property,
18 including the manufactured homes. Even if that were not the case, each of these three claims would
19 be barred by the three year statute of limitations under NRS 11.190.

20 ***Conversion***

21 6. Defendants allege Fannie Mae converted the property when it attempted possession in
22 2013 and 2016 and in 2015 when it applied to have the title changed. Conversion is "a distinct act of
23 dominion wrongfully exerted over another's personal property in denial of, or inconsistent with his
24 title or rights therein or in derogation, exclusion, or defiance of such title or rights." *Wantz v. Redfield*,
25 74 Nev. 196, 198, 326 P.2d 413, 414 (1958). The Anthonys cannot succeed on a claim for conversion
26 based on the undisputed facts.

27 7. Fannie Mae obtained title and possession of the property, including the manufactured
28 homes, through its non-judicial foreclosure proceeding, followed by an unlawful detainer action.

1 Plaintiff's MSJ, Exs. 9, 10. It did not convert, or wrongfully take, the property. Fannie Mae properly
2 foreclosed on the property, including the manufactured homes, which were permanently attached to
3 the property and therefore constituted real property. However, even if the manufactured homes were
4 personal property, Fannie Mae still properly foreclosed under NRS 104.9604(1)(b), which states that
5 where a security agreement covers both personal and real property, a secured party may foreclose "[a]s
6 to both the personal property and the real property in accordance with the rights with respect to the
7 real property, in which case the other provisions of this part do not apply." NRS 104.9604(1)(b).

8 8. Further, Defendant's claim for conversion is time-barred. A cause of action for
9 conversion accrues with the unauthorized sale/conversion of property. *See* N.R.S. 11.190(3)(c) and
10 (3)(d); *Palludan v. Bergin*, 375 P.2d 544, 78 Nev. 441 (1962) (action for conversion barred by the
11 statute of limitations where it was not commenced until more than three years after alleged
12 unauthorized sale of the property).

13 9. Any conversion cause of action would have arisen in April 2012 at the earliest and
14 November 2012 at the latest when the sale was completed and judgment of possession entered in favor
15 of Fannie Mae. *See* Exs. 9, 10, 11 to Plaintiff's MSJ. Fannie Mae informed the defendants it claimed
16 title to the property and possession of the premises in April 2012 when it recorded the trustee's deed
17 upon sale. Fannie Mae then began eviction proceedings, advising defendants to vacate the premises
18 because a foreclosure sale had been completed. *See* Ex. 14 to Plaintiff's MSJ. Fannie Mae obtained
19 judgment for possession in November 2012. Ex. 10 to Plaintiff's MSJ.

20 10. Thus, any claims premised on Fannie Mae's assertion of ownership and possession of
21 the property, including the home, would have accrued in November 2012 at the latest, when the
22 judgment for possession was entered in favor of Fannie Mae. Ex. 10 to Plaintiff's MSJ. As the counter
23 claims were not filed until August 2017, the conversion claim is almost two years too late.

24 *UCC Violations*

25 11. A claim based on a statute, like the alleged violations of the UCC here, is subject to the
26 three-year statute of limitations in the absence of a specific limitation period providing otherwise.
27 While limitation periods are provided for in a number of Articles under Nevada's version of the UCC
28 (*see, e.g.*, NRS 104.5115, 1 year), there is no limitation period for a violation of Article 9 concerning

1 secured transactions. *See* NRS 104.9101, et seq. As such, the three-year limitation period under NRS
2 11.190(1) applies.

3 12. Here, all of the Anthony's counterclaims alleging violation of the UCC stem from the
4 April 2012 foreclosure sale, or at the latest, the November 2012 judgment of possession. Ex. 9, 10 to
5 Plaintiff's MSJ. Defendants had actual knowledge Fannie Mae claimed to obtain title to the property,
6 including the manufactured homes, in April 2012 and used that title to obtain possession of the
7 property in November 2012.

8 13. Assuming Defendant's had any viable claim for breach of the UCC, they were required
9 to bring those claims within three years of Fannie Mae's possession of the property, or by November
10 2015. The Anthony's didn't plead these claims until August 2017—almost two years too late.

11 14. Even if the claim was not barred by the statute of limitations, the claim fails because
12 the UCC permitted the sale of the manufactured homes even if the manufactured home did constitute
13 personal property. Where a security agreement covers both personal and real property, a secured party
14 may proceed "[a]s to both the personal property and the real property in accordance with the rights
15 with respect to the real property, in which case the other provisions of this part do not apply." NRS
16 104.9604(1)(b). Therefore, no violation of the UCC occurred.

17 ***Excessive Attachment / Abuse of Process***

18 15. Abuse of process is "an intentional tort that requires proof of two elements: (1) an
19 ulterior purpose for bringing a legal action other than resolving a dispute, and (2) a willful act in the
20 use of the legal process not proper in the regular conduct of the proceeding." *Las Vegas Fetish &*
21 *Fantasy Halloween Ball, Inc. v. Ahern Rentals, Inc.*, 182 P.3d 764, 767 (Nev. 2008) (citing *Posados*
22 *v. City of Reno*, 109 Nev. 448, 457, 851 P.2d 438, 444-445 (1993)).

23 16. In the instant case, there are no facts to establish a claim for abuse of process. Fannie
24 Mae argued in the prior unlawful detainer action that it obtained title via a foreclosure sale of the deed
25 of trust which included the manufactured homes as real property improvements. Plaintiff's MSJ at Ex.
26 10. Defendants in that action had the opportunity to dispute Fannie Mae's claims. To the extent they
27 disagreed with the results, they could have appealed. They did not. The Anthonys do not present any
28

1 facts demonstrating Fannie Mae had an ulterior motive for bringing this action other than to resolve a
2 valid legal dispute due to the Anthony's refusal to vacate the property.

3 17. Moreover, this claim is also barred by the three year statute of limitations, as it is also
4 based on Defendant's claim that Fannie Mae violated the UCC in foreclosing on the property.

5 ***Claim Preclusion Bars the Anthonys' Counter Claims***

6 18. Defendants' counterclaims are also barred here because they are compulsory counter
7 claims that should have been brought in Fannie Mae's 2012 eviction action.

8 19. Under NRCP 13(a), a claim is compulsory "if it arises out of the transaction or
9 occurrence that is the subject matter of the opposing party's claim." The relevant consideration is
10 whether the pertinent facts of the different claims are so logically related that issues of judicial
11 economy and fairness mandate all issues be tried in one suit. *See United States v. Aquavella*, 615 F.2d
12 12, 22 (2d. Cir. 1979).

13 20. Here, defendants' claims that the foreclosure sale did not include the manufactured
14 homes are logically related to Fannie Mae's 2012 action for possession of the property, specifically
15 the manufactured homes. Both claims arise out of the same transaction—the 2012 foreclosure sale.
16 The defendants allege plaintiff failed to perfect its interest in the property, failed to properly notice the
17 sale, and questioned whether the manufactured homes are sufficiently described under the security
18 instrument, the deed of trust. These counterclaims are so logically related to those in the eviction
19 action, where Fannie Mae sought to evict defendants from the manufactured home, judicial economy
20 and fairness mandates that defendants bring their counterclaims in the 2012 suit. *See Mendenhall v.*
21 *Tassinari*, 403 P.3d 364, 370–71 (Nev. 2017). But they were not.

22 21. Under Nevada law, claim preclusion applies where: (1) "the final judgment is valid,"
23 (2) "the parties or their privies are the same in the instant lawsuit as they were in the previous lawsuit,
24 or the defendant can demonstrate that he or she should have been included as a defendant in the earlier
25 suit and the plaintiff fails to provide a good reason for not having done so," and (3) "the subsequent
26 action is based on the same claims or any part of them that were *or could have been brought* in the
27 first case." *Weddell v. Sharp*, 350 P.3d 80, 85 (Nev. 2015) (en banc) (quotation and emphasis omitted).

28 ∴

1 22. Here, there is a valid final judgment in the eviction action between Fannie Mae and
2 defendants. *See* Plaintiff's MSJ at Ex. 10. These are the same parties as in the instant litigation.
3 Defendants' counterclaims in this lawsuit are premised on Fannie Mae's alleged failure to perfect its
4 interest in the property in the foreclosure sale and Fannie Mae's alleged wrongful attempt to obtain
5 possession of the property without first complying with the UCC.

6 23. The counterclaims also allege Fannie Mae's underlying debt was extinguished in its
7 failure to comply with the UCC and therefore Fannie Mae does not have any rights to the manufactured
8 homes. Because Fannie Mae's eviction action sought a judicial determination that Fannie Mae obtained
9 title to and possession of the property, which included the manufactured homes, defendants' current
10 claims against Fannie Mae clearly could have been brought in that case. *See* Plaintiff's MSJ at Ex. 10.

11 24. It would be inequitable to allow Defendants to delay bringing claims to challenge the
12 foreclosure until after Fannie Mae potentially loses any rights to collect a judgment or cure the
13 foreclosure. If the Defendants had asserted their claims that the foreclosure was not proper in defense
14 of Fannie Mae's action confirming title and possession, Fannie Mae would have had an opportunity to
15 protect its rights by filing a deficiency action if necessary. Instead, plaintiffs delayed challenging the
16 foreclosure until Fannie Mae is prejudiced. *See Nevada State Bank v. Jamison Family Partnership*,
17 801 P.2d 1377, 106 Nev. 792 (1990).

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ORDER

Based on the foregoing findings of fact and conclusions of law,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff Federal National Mortgage Association's Motion for Summary Judgment is GRANTED and that Patricia Anthony and William Anthony's Partial Motion for Summary Judgment is DENIED. Judgment is entered in favor of Federal National Mortgage Association on all of Plaintiff's claims, and against Defendants on all of Defendants' counterclaims.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that William and Patricia Anthony are hereby PERMANENTLY ENJOINED from further occupying the property located at 3705 Anthony Place, Sun Valley, Nevada, APN No. 026-021-56, including the attached 1996 and 1997 Fuqua manufactured homes, identified with serial number 15233AC and serial number 15470.

IT IS FURTHER ORDERED that the Lis Pendens filed by Plaintiffs and referencing this litigation action is void and invalid, and is hereby expunged. This Order may be recorded in the office of the Las Vegas County Recorder.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the pending orders regarding injunctive relief and payment of rent shall expire on the date the Court files the Findings of Fact, Conclusions of Law and Judgment.

DATED: Aug 16, 2019


DISTRICT COURT JUDGE
CV17-00843

Respectfully Submitted by:

Approved as to form and content by:

Dated: August __, 2019

Dated: August __, 2019

AKERMAN LLP

~~DARREN T. BRENNER, ESQ.
Nevada Bar No. 8386
JAMIE K. COMBS, ESQ.
Nevada Bar No. 13088
1635 Village Center Circle, Suite 200
Las Vegas, Nevada 89134~~

~~MICHAEL LEHNERS, ESQ.
Nevada State Bar No.: 3331
429 Marsh Avenue
Reno, Nevada 89509~~

Attorneys for Patricia and William Anthony

Attorney for Fannie Mae

Exhibit 5

Exhibit 5

IN THE SUPREME COURT OF THE STATE OF NEVADA

JACK N. TEDFORD, INC., A NEVADA
CORPORATION; JNT, INC., A NEVADA
CORPORATION; JACK N. TEDFORD,
III; AND NANCY J. TEDFORD,

Appellants,

vs.

SMS FINANCIAL XXVII, LLC, AN
ARIZONA LIMITED LIABILITY
COMPANY,

Respondent.

JACK N. TEDFORD, INC., A NEVADA
CORPORATION; JNT, INC., A NEVADA
CORPORATION; AND JACK N.
TEDFORD, III; AND NANCY J.
TEDFORD,

Appellants,

vs.

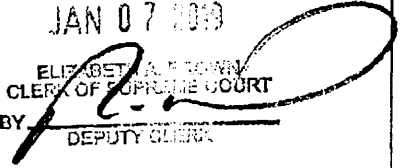
SMS FINANCIAL XXVII, LLC, AN
ARIZONA LIMITED LIABILITY
COMPANY,

Respondent.

No. 74898

FILED

JAN 07 2019

ELIZABETH A. FLOWIN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

No. 75965

ORDER TO SHOW CAUSE

Docket No. 74898 is an appeal from a judgment in a breach of contract action. Our initial review of the docketing statement and documents before this court reveals a potential jurisdictional defect in that appeal. It appears that the judgment is largely superfluous and thus unappealable.

The district court appears to have entered a final judgment on March 15, 2017. *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (defining a final judgment); *see also Valley Bank of Nevada v. Ginsburg*, 110 Nev. 4440, 874 P.2d 729 (1994) ("This court determines the


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finality of an order or judgment by looking to what the order or judgment actually *does*, not what it is called.”). The December 14, 2017, judgment challenged on appeal restates the judgment made in the March 15, 2017, order and awards costs. To the extent the December 14, 2017, judgment is a restatement of the previous judgment, it does not alter the legal rights or obligations contained within the previous judgment and is thus superfluous and unappealable.¹ See *Campos-Garcia v. Johnson*, 130 Nev. 610 331 P.3d 890 (2014). Further, the notice of appeal is untimely from the March 15, 2017, order. Notice of entry of that order was served on March 16, 2017. However, the notice of appeal was not filed until January 12, 2018, long past the 30-day appeal period established by NRAP 4(a)(1).

Accordingly, appellants shall have 30 days from the date of this order to show cause why the appeal in Docket No. 74898 should not be limited to the portion of the December 14, 2017, judgment awarding costs. Respondent may file any reply within 11 days of service of appellants’ response. We caution appellants that failure to demonstrate that this court has jurisdiction may result in the limitation of review on appeal.

The deadlines to file documents in these appeals are suspended pending further order of this court.

It is so ORDERED.

 C.J.

cc: Michael C. Lehnert
Leach Kern Gruchow Anderson Song/Reno

¹To the extent the judgment awards costs, it appears appealable as a special order after final judgment. See NRAP 3A(b)(8).