

IN THE SUPREME COURT OF NEVADA

SATICOY BAY, LLC 34
INNISBROOK,

Appellant,

vs.

THORNBURG MORTGAGE
SECURITIES TRUST 2007-3;
FRANK TIMPA; MADELAINE
TIMPA; TIMPA TRUST; RED ROCK
FINANCIAL SERVICES, LLC;
SPANISH TRAIL MASTER
ASSOCIATION; REPUBLIC
SERVICES; AND LAS VEGAS
VALLEY WATER DISTRICT,

Respondents.

SUPREME COURT CASE NO. 80111

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Elizabeth A. Brown
Clerk of Supreme Court

**STIPULATION REGARDING
SURVIVAL OF THE DEED OF
TRUST AND WITHDRAWAL OF
MOTION TO DISMISS APPEAL**

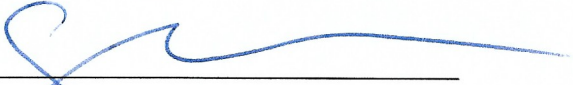
Appellant Saticoy Bay, LLC Series 34 Innisbrook (“**Saticoy**”) and Respondent Thornburg Mortgage Securities Trust 2007-3 (“**Thornburg**”), by and through their respective counsel of record, stipulate and agree as follows:

1. The subject deed of trust survived the homeowners’ association foreclosure sale that is the subject of this appeal and Saticoy is not challenging in this appeal the district court’s ruling on that issue (i.e. the effect of Bank of America, N.A.’s tender).

2. All other assignments of error listed in Saticoy’s Docketing Statement remain the subject of this appeal, including, but not limited to, unwinding the subject homeowners’ association foreclosure on equity grounds.

3. In light of the foregoing, Thornburg withdraws its Motion to Dismiss

Appeal filed on July 16, 2020.

<p>ROGER P. CROTEAU & ASSOCIATES, LTD.</p> <p>Dated this 3rd day of August, 2020.</p> <p><u>/s/ Chet A. Glover</u></p> <p>Roger P. Croteau, Esq. Nevada Bar No. 4958 Chet A. Glover, Esq. Nevada Bar No. 10054 Christopher L. Benner, Esq. Nevada Bar No. 8963 2810 West Charleston Blvd., Suite 75 Las Vegas, Nevada 89102 Attorneys for Saticoy</p>	<p>AKERMAN LLP</p> <p>Dated this <u>3</u> day of August, 2020.</p> <p></p> <p>Ariel E. Stern, Esq. Nevada Bar No. 8276 Melanie D. Morgan, Esq. Nevada Bar No. 8515 Scott R. Lachman, Esq. Nevada Bar No. 12016 1635 Village Center Circle, Suite 200 Las Vegas, Nevada 89134 Attorneys for Thornburg</p>
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CERTIFICATE OF SERVICE

In accordance with NRAP 25, I hereby certify that on August 3, 2020, I caused a copy of the **STIPULATION REGARDING SURVIVAL OF THE DEED OF TRUST AND WITHDRAWAL OF MOTION TO DISMISS APPEAL** to be filed and served electronically via the Court's E-Flex System to the following:

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/s/ Joe Koehle

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