

**IN THE SUPREME COURT OF NEVADA**

SFR INVESTMENTS POOL 1,  
LLC, A NEVADA LIMITED  
LIABILITY COMPANY

Appellant,

vs.

NATIONSTAR MORTGAGE LLC,  
A DELAWARE LIMITED  
LIABILITY COMPANY,

Respondent.

Electronically Filed  
Nov 22 2021 10:18 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court  
Case No. 82078

**APPEAL**

From the Eighth Judicial District Court, Clark County  
The Honorable Mary Kay Holthus, District Judge  
District Court Case No. A-13-684715-C

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**MOTION TO WITHDRAW AS COUNSEL  
FOR NATIONSTAR MORTGAGE LLC**

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MELANIE D. MORGAN, ESQ.  
Nevada Bar No. 8215

SCOTT R. LACHMAN ESQ.  
Nevada Bar No. 12016

DONNA M. WITTIG, ESQ.  
Nevada Bar No. 11015

ARIEL E. STERN, ESQ.  
Nevada Bar No. 8276

**AKERMAN LLP**  
1635 Village Center Circle, Suite 200  
Las Vegas, NV 89134  
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*Attorneys for Respondent  
Nationstar Mortgage LLC*

Akerman LLP moves to withdraw as counsel for Nationstar Mortgage LLC pursuant to Nevada Rule of Professional Conduct 1.16 and Nevada Supreme Court Rule 46(2), Nevada Rule of Appellate Procedure 46(e)(3), and the attached declaration of counsel.

Nationstar knowingly and freely discharged Akerman as counsel. RPC 1.16(a)(3); *see In re Kaufman*, 93 Nev. 456, 568 P.2d 959 (1977) (a party may discharge his or her attorney). Akerman anticipates Nationstar will retain new counsel in short order, however new counsel has not yet made an appearance or requested consent for substitution. Akerman will serve a copy of the motion on Nationstar and all parties of record. RPC 1.16(c). Akerman will also provide a copy of the pleadings and other case documents to Nationstar in accordance with any legal, ethical, and contractual obligations. RPC 1.16(d). Akerman provides the court and other parties with contact information for Nationstar: Nationstar Mortgage LLC dba Mr. Cooper, 8950 Cypress Waters Blvd., Coppell, TX 75019, (833) 685-2565.

Good cause exists to allow Akerman's withdrawal as a result of the discharge. RPC 1.16(a)(3). Withdrawal can be accomplished without material adverse effect to Nationstar since its appellate briefing is complete and Nationstar is retaining new counsel. Nationstar filed its answering brief on September 27, 2021. SFR's reply brief is due November 29, 2021. This motion is not meant to

delay adjudication of the appeal. Akerman does not anticipate any party will object to the withdrawal under the circumstances described herein.

Akerman respectfully requests this court grant its withdraw as counsel for Nationstar.

DATED this 22nd day of November, 2021.

**AKERMAN LLP**

/s/ Melanie D. Morgan

ARIEL E. STERN, ESQ.

Nevada Bar No. 8276

MELANIE D. MORGAN, ESQ.

Nevada Bar No. 8215

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1635 Village Center Circle, Suite 200

Las Vegas, Nevada 89134

*Attorneys for Nationstar Mortgage LLC*

**DECLARATION OF MELANIE D. MORGAN, ESQ.**

I, Melanie D. Morgan, Esq., declare and state, under penalty of perjury, as follows:

1. I am an attorney admitted to practice before all courts in Nevada.
2. I am a partner with the law firm of Akerman LLP in its Las Vegas, Nevada office.
3. I have personal knowledge of the facts and circumstances set forth in this declaration as specified and would competently testify to these facts and circumstances in a court of law.
4. I represent Nationstar Mortgage LLC in this matter.
5. I make this declaration in support of Akerman's motion to withdraw as counsel.
6. Nationstar discharged Akerman as counsel.
7. Nationstar informed Akerman that it is retaining new counsel in short order, however new counsel has not made an appearance or requested consent for substitution to date.
8. Good cause exists for withdraw as a result of the discharge and intention to retain new counsel. Good cause also exists since this withdraw will not materially prejudice Nationstar because its appellate briefing is complete.

Nationstar filed its answering brief on September 27, 2021. SFR's reply brief is due November 29, 2021.

9. I will serve a copy of the motion on Nationstar and all parties of record.

9. I will provide a copy of the pleadings and other case documents to Nationstar in accordance with any legal, ethical, and contractual obligations.

10. I will forward of a copy of the court's disposition to Nationstar should the issuance of the disposition proceed an order granting the motion to withdraw.

10. I declare under penalty of perjury the foregoing is true and accurate to the best of my ability.

DATED November 22, 2021.

/s/ *Melanie D. Morgan*  
MELANIE D. MORGAN, ESQ.

## **CERTIFICATE OF SERVICE**

I certify that I electronically filed on November 22, 2021, the foregoing **MOTION TO WITHDRAW AS COUNSEL FOR NATIONSTAR MORTGAGE LLC** with the Clerk of the Court for the Nevada Supreme Court by using the Court's electronic file and serve system. I further certify that all parties of record to this appeal are either registered with the Court's electronic filing system or have consented to electronic service and that electronic service shall be made upon and in accordance with the Court's Master Service List.

For those Parties not registered in the Court's Master Service List, service was made in the following manner:

**(UNITED STATES MAIL)** By depositing a copy of the above-referenced document for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada, to the parties listed below at their last-known mailing addresses, on the date above written as follows:

Nationstar Mortgage LLC  
8950 Cypress Waters Blvd.  
Coppell, TX 75019

I declare that I am employed in the office of a member of the bar of this Court at whose discretion the service was made.

/s/ Carla Llarena  
An employee of Akerman LLP