

IN THE SUPREME COURT OF THE STATE OF NEVADA

SFR INVESTMENTS POOL 1, LLC, a
Nevada Limited Liability Company,

Appellant,

vs.

JPMORGAN CHASE BANK, N.A.,

Respondent(s).

Case No. 83214

District Court Case No.

A-13-692304-C

Electronically Filed
Aug 10 2021 11:10 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

**MOTION FOR EXTENSION OF
TIME TO FILE DOCKETING
STATEMENT CIVIL APPEALS**

Appellant SFR Investments Pool 1, LLC hereby moves this Court for leave to file its Docketing Statement. This motion is based on the following memorandum and all pleadings on file herein.

MEMORANDUM

The Docketing Statement of Appellant SFR Investments Pool 1, LLC was due to be filed on Friday August 6, 2021. Due to an inadvertent calendaring error, the deadline was calendared for Monday August 6, 2021, instead of Friday August 9, 2021, thus causing the untimely filing. Appellant respectfully submits that good cause exists for the failure to meet the deadline for the Docketing Statement. Despite having procedures in place to ensure that all court deadlines are properly calendared and monitored, a miscalculation of one day was made with regard to this deadline.

Counsel discovered the Docketing Statement had been filed late upon receiving notice from this Court today, August 10, 2021 that the filing had been

rejected as late, and that a motion to extend time to file would be necessary to file the Docketing Statement. Immediately, SFR sought to remedy the situation by filing the instant motion to extend time. Accordingly, SFR respectfully moves this Court for an order permitting the Docketing Statement, attached hereto as Exhibit A, to be filed out of time and the deadline extended accordingly. No delay is intended by reason of this motion for extension of time to file the docketing statement and no other party will be prejudiced by such an extension being granted.

DATED this 10th day of August, 2021.

KIM GILBERT EBRON

/s/ Diana S. Ebron
DIANA S. EBRON, ESQ.
Nevada Bar No. 10580
7625 Dean Martin Drive, Suite 110
Las Vegas, NV 89139
*Attorneys for Appellant SFR
Investments Pool 1, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of August, 2021, I filed the foregoing **MOTION FOR EXTENSION OF TIME TO FILE DOCKETING STATEMENT CIVIL APPEALS** which shall be served via electronic service from the Court's eFlex system to:

Master Service List

Docket Number and Case Title:	83214 - SFR INVS. POOL 1, LLC VS. JPMORGAN CHASE BANK, NAT'L ASS'N
Case Category	Civil Appeal
Information current as of:	Aug 10 2021 11:02 a.m.

Electronic notification will be sent to the following:

Jacqueline Gilbert
Matthew Lamb
Joel Tasca
Chantel Schimming
Diana Ebron

Notification by traditional means must be sent to the following:

/s/ Diana S. Ebron
an employee of Kim Gilbert Ebron

EXHIBIT A

Docketing Statement Civil Appeals

EXHIBIT A

IN THE SUPREME COURT OF THE STATE OF NEVADA

SFR INVESTMENTS POOL 1, LLC, a
Nevada Limited Liability Company,

Appellant,

vs.

JPMORGAN CHASE BANK, N.A.,

Respondent(s).

Case No. 83214

District Court Case No.

A-13-692304-C

DOCKETING STATEMENT CIVIL APPEALS

GENERAL INFORMATION

Appellants must complete this docketing statement, NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeal under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. *See KDI Sylvan Pools v. Workman*, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District: Eighth Department: VIII
2. County: Clark Judge: The Honorable Jessica K. Peterson

District Ct. Case No. A-13-692304-C

Attorney filing this docketing statement:

Attorney: Diana S. Ebron, Esq. Telephone: 702-485-3300

Firm: Kim Gilbert Ebron

Address: 7625 Dean Martin Drive, Suite 110, Las Vegas, Nevada 89139

Client(s): SFR Investments Pool 1, LLC ("SFR")

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement. N/A

3. Attorney(s) representing respondent(s):

Attorney: Joel E. Tasca, Esq. Telephone: 702-471-7000
Matthew D. Lamb, Esq. 202-661-2200

Firm: Ballard Spahr LLP

Address: 1980 Festival Plaza Drive, Suite 900, Las Vegas, NV 89135
1909 K. Street, NW, 12th Floor, Washington, D.C. 20006

Client(s): JPMorgan Chase Bank, N.A.

4. Nature of disposition below (check all that apply):

- ☒ Judgment after bench trial
- ☐ Judgment after jury verdict
- ☒ Summary judgment
- ☐ Default judgment
- ☐ Grant/Denial of NRCP 60(b) relief
- ☐ Grant/Denial of injunction
- ☐ Grant/Denial of declaratory relief
- ☐ Review of agency determination

- ☐ Dismissal:
 - ☐ Lack of jurisdiction
 - ☐ Failure to state a claim
 - ☐ Failure to Prosecute
 - ☐ Other (specify): _____
- ☐ Divorce Decree:
 - ☐ Original
 - ☐ Modification
- X Other disposition (specify): Judgment on remand per instructions from the Nevada Supreme Court in Case No. 77010

5. **Does this appeal raise issues concerning any of the following?** N/A

- ☐ Child Custody
- ☐ Venue
- ☐ Termination of parental rights

6. **Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously or pending before this court which are related to this appeal:

JPMorgan Chase Bank, N.A., Appellant v. SFR Investments Pool 1, LLC, Respondent, Nevada Supreme Court Case No. 71337

JPMorgan Chase Bank, N.A., Appellant v. SFR Investments Pool 1, LLC, Respondent, Nevada Supreme Court Case No. 77010

7. **Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

None

8. **Nature of the action.** Briefly describe the nature of the action and result below:

This is a quiet title action arising from a foreclosure sale under NRS Chapter 116. The subject property is located at 3263 Morning Springs Drive, Henderson, Nevada, 89074 (the "Property"). SFR was the highest bidder at the foreclosure sale. After the foreclosure sale, Chase brought claims against SFR quiet title and declaratory relief. Chase claims to have been servicing the loan associated with the Property at the time of the sale on behalf of the Freddie Mac,

the purported owner of the loan and deed of trust. SFR counterclaimed for Declaratory Relief/Quiet Title and Injunctive Relief.

The district court originally entered summary judgment in favor of SFR on August 23, 2016, and Chase appealed. After the parties stipulated to vacate the August 23, 2016, summary judgment and remand for the purpose of deciding specific issues related to 12 U.S.C. §4617(j)(3), the matter was remanded to the district court accordingly.

Upon remand, both parties removed for summary judgment. The district court ultimately found that Chase adequately demonstrated that Freddie Mac owned the loan at the time of the foreclosure sale but that a three-year statute of limitations applied and Chase's claims were therefore untimely. Summary judgment was entered in favor of SFR on August 15, 2018. The Bank again appealed.

On appeal, this Court concluded that the district court erred in applying a three-year statute of limitations period. Specifically, this Court determined Chase's claims seeking to enforce the Federal Foreclosure Bar are best characterized as sounding in contract and are therefore governed by a six-year statute of limitations. Thus, Chase's action was timely filed. This Court further concluded that because Chase demonstrated that Freddie Mac owned the loan at the time of the foreclosure sale, the matter was to be remanded for the district court to enter judgment in favor of Chase such that the Federal Foreclosure Bar prevented the foreclosure sale from extinguishing the first deed of trust and SFR therefore took the property subject to that deed of trust.

Following remittitur on the second appeal, this Court entered Judgment as directed by this Court, vacating the August 15, 2018 Findings of Fact and Conclusions of Law in favor of SFR and entering judgment in favor of Chase. The Judgment in favor of chase was entered and filed on June 9, 2021.

Since entry of that judgment, the United States Supreme Court issued its opinion in *Collins v. Yellin*, 19-422 (June 23, 2021), determining that the FHFA's structure as set forth in HERA violates the separation of powers and is therefore, unconstitutional. The *Collins* Court remanded to determine what remedy was available under the constitutional claim. This Court must decide whether remand is appropriate to determine damages to SFR caused by the unconstitutional structure of the FHFA.

Decisions that harmed SFR were made by the FHFA Director while serving

under an unconstitutional statute. Thus, regardless of the finding by this Court and the resulting Judgment entered in the district court, this case must still be remanded for further proceedings to evaluate the damages, or harm, the unconstitutional structure caused SFR.

9. **Issues on appeal.** State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

Whether this Court should remand for further proceedings to determine compensable harm or damages to SFR caused by the unconstitutional structure of the FHFA?

10. **Pending proceeding in this court raising the same or similar issues.** If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

Nationstar Mortgage LLC and Wells Fargo Bank, N.A. v. SFR Investments Pool 1, LLC, Case No. 81315

SFR Investments Pool 1, LLC v. Ditech Financial LLC, F/K/A Green Tree Servicing, LLC, Case No. 81443

SFR Investments Pool 1, LLC v. Nationstar Mortgage, LLC, Case No. 82078

SFR Investments Pool 1, LLC v. JPMorgan Chase Bank, Case No. 82143

11. **Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and 30.130?

☒ N/A

☐ Yes

☐ No

If not, explain:

12. **Other issues.** Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☐ An Issue arising under the United States and/or Nevada Constitutions

- X A substantial issue of first impression
- X An issue of public policy
- An issue where en banc consideration is necessary to maintain uniformity of this court's decisions
- ☐ A ballot question
- If so, explain:

This case raises an issue of first impression, not resolved in published opinions by either this Court or the Ninth Circuit: Given the United States Supreme Court opinion in *Collins*, is remand appropriate to determine the harm and/or damages to SFR caused by the unconstitutional structure of the FHFA.

13. **Assignment to the Court of Appeals or retention in the Supreme Court.** Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

NRAP 17(a)(11)-(12) – As set forth above, # 12, this case raises issues of first impression as to the necessity of remand based on the United States Supreme Court in *Collins* that the FHFA's structure as set forth in HERA violates the separation of powers and is, therefore unconstitutional. Specifically, should this matter be remanded to evaluate the harm to SFR and to determine SFR's rights based on decisions made by the FHFA director while serving under HERA's unconstitutional structure.

14. **Trial.** If this action proceeded to trial, how many days did the trial last?

N/A

Was it a bench or jury trial?

N/A

15. **Judicial Disqualification.** Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?

N/A

TIMELINESS OF NOTICE OF APPEAL

16. Date of entry of written judgment or order appealed from

June 9, 2021

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review: N/A

17. Date written notice of entry of judgment or order was served

June 9, 2021

Was service by:

- ☐ Delivery
☒ Mail/electronic/fax

18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59) N/A

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

- ☐ NRCP 50(b) Date of filing: N/A
☐ NRCP 52(b) Date of filing: N/A
☐ NRCP 59 Date of filing: N/A

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v Washington, 126 Nev. ___, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion:

(c) Date written notice of entry of order resolving tolling motion was served:

Was service by:

- ☐ Delivery
- ☐ Mail/electronic

19. Date notice of appeal filed

July 9, 2021

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal: N/A

20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other

NRAP 4(a)

21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

(a)

- ☒ NRAP 3A(b)(1)
- ☐ NRAP 3A(b)(2)
- ☐ NRAP 3A(b)(3)
- ☐ NRS 38.205
- ☐ NRS 233B.150
- ☐ NRS 703.376
- ☐ Other (specify)

(b) Explain how each authority provides a basis for appeal from the judgment or order:

This appeal is taken from the Judgment entered on June 9, 2021, at the direction of this Court

22. List all parties involved in the action or consolidated actions in the district court:

(a) Parties:

- JPMorgan Chase Bank, N.A. – Plaintiff/Counter-Defendant

- SFR Investments Pool 1, LLC – Defendant/Counter-claimant
- Robert Hawkins – Counter-Defendant
- Christine Hawkins – Counter-Defendant

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in the appeal, e.g., formally dismissed, not served, or other:

Robert Hawkins and Christine Hawkins were dismissed in a stipulation and order filed April 23, 2014.

Give a brief description (3 to 4 words) of each party’s separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.

SFR’s claims for declaratory relief/quiet title and injunctive relief:

Against Robert Hawkins and Christine Hawkins – dismissed by Stipulation and Order entered April 23, 2014.

Against Chase – resolved by Judgment entered June 9, 2021.

Chase’s claims for declaratory relief, quiet title and unjust enrichment:

Against SFR

- Unjust Enrichment – dismissed by Stipulation and Order entered February 12, 2019.
- Declaratory Relief and Quiet Title – resolved by Judgment entered June 9, 2021.

23. **Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?**

X Yes

24. **If you answered “No” to question 23, complete the following:**

(a) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCp 54(b)?

Yes

No

(b) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

Yes

No

25. **If you answered “No” to any part of question 24, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):**

26. **Attach file-stamped copies of the following documents:**

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

Exhibit	Title of Document	File-Stamp Date
1	DC Docket	As of August 9, 2021
2	Complaint	03/09/2016
3	SFR’s Amended Answer, Counterclaim, and Cross-Claim	03/20/2014
4	Stipulation and Order Dismissing Defendants Robert M. Hawkins and Christine V. Hawkins Without Prejudice	04/23/2014
5	Notice of Entry of Stipulation and Order	04/24/2014
6	Stipulation and Order Dismissing Third Cause of Action (Unjust Enrichment) With Prejudice	02/12/2019

7	Notice of Entry of Stipulation and Order Dismissing Third Cause of Action (Unjust Enrichment) With Prejudice	02/13/2019
8	Judgment in Favor of JPMorgan Chase Bank, National Association and Automated Certificate of Service	06/09/2021
9	SFR's Notice of Appeal	07/09/2021
10	SFR's Case Appeal Statement	07/09/2021

DATED this 9th day of August, 2021.

KIM GILBERT EBRON

/s/ Diana S. Ebron
 DIANA S. EBRON, ESQ.
 Nevada Bar No. 10580
 7625 Dean Martin Drive, Suite 110
 Las Vegas, NV 89139
 Attorneys for Appellant SFR
 Investments Pool 1, LLC

VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

SFR Investments Pool 1, LLC
 Name of appellant

Diana S. Ebron
 Name of Counsel of Record

August 9, 2021
 Date

/s/ Diana S. Ebron
 Signature of counsel of record

Clark County, Nevada
 State and county where signed

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of August, 2021, I filed the foregoing **DOCKETING STATEMENT**, which shall be served via electronic service from the Court's eFlex system to:

Master Service List

Docket Number and Case Title:	83214 - SFR INVS. POOL 1, LLC VS. JPMORGAN CHASE BANK, NAT'L ASS'N
Case Category	Civil Appeal
Information current as of:	Aug 09 2021 05:45 p.m.

Electronic notification will be sent to the following:

Jacqueline Gilbert
Matthew Lamb
Joel Tasca
Chantel Schimming
Diana Ebron

Notification by traditional means must be sent to the following:

/s/ Diana S. Ebron
an employee of Kim Gilbert Ebron

EXHIBIT 1

EXHIBIT 1

REGISTER OF ACTIONS**CASE NO. A-13-692304-C****JPMorgan Chase Bank National Association, Plaintiff(s) vs. SFR Investments Pool 1 LLC, Defendant(s)**§
§
§
§
§
§
§
§
§
§

Case Type:	Title to Property
Subtype:	Quiet Title
Date Filed:	11/27/2013
Location:	Department 8
Cross-Reference Case Number:	A692304
Supreme Court No.:	71337
	77010
	83214

PARTY INFORMATION

Counter Claimant	SFR Investments Pool 1 LLC	Lead Attorneys Jacqueline Gilbert <i>Retained</i> 702-485-3300(W)
Counter Defendant	JPMorgan Chase Bank National Association	Sylvia O. Semper <i>Retained</i> 702-471-7000(W)
Cross Claimant	SFR Investments Pool 1 LLC	Jacqueline Gilbert <i>Retained</i> 702-485-3300(W)
Cross Defendant	Hawkins, Christine V	Howard C. Kim <i>Retained</i> 702-485-3300(W)
Cross Defendant	Hawkins, Robert M	Howard C. Kim <i>Retained</i> 702-485-3300(W)
Defendant	SFR Investments Pool 1 LLC	Jacqueline Gilbert <i>Retained</i> 702-485-3300(W)
Plaintiff	JPMorgan Chase Bank National Association	Sylvia O. Semper <i>Retained</i> 702-471-7000(W)

EVENTS & ORDERS OF THE COURT**DISPOSITIONS**

04/23/2014	Order of Dismissal Without Prejudice (Judicial Officer: Barker, David) Debtors: Robert M Hawkins (Counter Defendant), Christine V Hawkins (Counter Defendant) Creditors: SFR Investments Pool 1 LLC (Counter Claimant) Judgment: 04/23/2014, Docketed: 04/30/2014
11/02/2017	Clerk's Certificate (Judicial Officer: Crockett, Jim) Debtors: JPMorgan Chase Bank National Association (Plaintiff) Creditors: SFR Investments Pool 1 LLC (Defendant) Judgment: 11/02/2017, Docketed: 11/09/2017 Comment: Supreme Court No. 71337 "Appeal Dismissed"
08/16/2018	Summary Judgment (Judicial Officer: Crockett, Jim) Debtors: JPMorgan Chase Bank National Association (Plaintiff) Creditors: SFR Investments Pool 1 LLC (Defendant) Judgment: 08/16/2018, Docketed: 08/16/2018
02/06/2019	Amended Judgment Vacated (Judicial Officer: Crockett, Jim) Reason: Vacated Debtors: JPMorgan Chase Bank National Association (Counter Defendant), JP Morgan Chase Bank, National Association (Cross Defendant) Creditors: SFR Investments Pool 1 LLC (Counter Claimant)

Judgment: 02/06/2019, Docketed: 08/30/2016
 Comment: 2/6/19 Vacated Summary Judgment

08/23/2016 **Summary Judgment** (Judicial Officer: Crockett, Jim)

Debtors: JPMorgan Chase Bank National Association (Counter Defendant), JP Morgan Chase Bank, National Association (Cross Defendant)

Creditors: SFR Investments Pool 1 LLC (Counter Claimant)

Judgment: 08/23/2016, Docketed: 08/30/2016

02/12/2019 **Order of Dismissal With Prejudice** (Judicial Officer: Crockett, Jim)
 Debtors: SFR Investments Pool 1 LLC (Defendant)
 Creditors: JPMorgan Chase Bank National Association (Plaintiff)
 Judgment: 02/12/2019, Docketed: 02/13/2019
 Comment: Certain Cause

05/04/2021 **Clerk's Certificate** (Judicial Officer: Peterson, Jessica K.)
 Debtors: SFR Investments Pool 1 LLC (Defendant)
 Creditors: JPMorgan Chase Bank National Association (Plaintiff)
 Judgment: 05/04/2021, Docketed: 05/04/2021
 Comment: Supreme Court No. 77010 Appeal Reversed

06/09/2021 **Judgment** (Judicial Officer: Peterson, Jessica K.)
 Debtors: SFR Investments Pool 1 LLC (Defendant)
 Creditors: JPMorgan Chase Bank National Association (Plaintiff)
 Judgment: 06/09/2021, Docketed: 06/10/2021
 Comment: Quiet Title

OTHER EVENTS AND HEARINGS

11/27/2013 **Case Opened**

11/27/2013 **Complaint Doc ID# 1**

[1] Complaint

11/27/2013 **Initial Appearance Fee Disclosure Doc ID# 2**

[2] Initial Appearance Fee Disclosure

03/11/2014 **Summons Doc ID# 3**

[3] Summons

03/18/2014 **Answer and Counterclaim Doc ID# 4**

[4] Answer, Counter-Claim and Cross-Claim

03/18/2014 **Notice of Lis Pendens Doc ID# 5**

[5] Notice of Lis Pendens

03/20/2014 **Amended Answer Doc ID# 6**

[6] Amended Answer, Counterclaim and Cross-Claim

03/24/2014 **Certificate of Service Doc ID# 7**

[7] Certificate of Service

03/24/2014 **Certificate of Service Doc ID# 8**

[8] Certificate of Service

03/31/2014 **Motion for Summary Judgment Doc ID# 9**

[9] JPMorgan Chase Bank's Motion For Summary Judgment

03/31/2014 **Certificate of Service Doc ID# 10**

[10] Certificate of Service

04/04/2014 **Affidavit of Service Doc ID# 11**

[11] Affidavit of Service

04/04/2014 **Affidavit of Service Doc ID# 12**

[12] Affidavit of Service

04/23/2014 **Stipulation and Order for Dismissal Without Prejudice Doc ID# 13**

[13] Stipulation and Order Dismissing Defendants Robert M. Hawkins and Christine v. Hawkins without Prejudice

04/24/2014 **Notice of Entry of Stipulation & Order for Dismissal Doc ID# 14**

[14] Notice of Entry of Stipulation and Order

04/30/2014 **Stipulation and Order Doc ID# 15**

[15] Stipulation and Order to Vacate Hearing on Plaintiff's Motion for Summary Judgment and to Stay Litigation

05/01/2014 **CANCELED Motion for Summary Judgment (8:15 AM)** (Judicial Officer Barker, David)

Vacated - per Stipulation and Order

JPMorgan Chase Bank's Motion For Summary Judgment

05/02/2014 **Notice of Entry of Stipulation and Order Doc ID# 16**

[16] Notice of Entry of Stipulation and Order to Vacate Hearing on Plaintiff's Motion for Summary Judgment and to Stay Litigation

05/27/2014 **Commissioners Decision on Request for Exemption - Granted Doc ID# 17**

[17] Commissioner's Decision on Request for Exemption - Granted

06/11/2014 **Arbitration File Doc ID# 18**

[18] Arbitration File

12/04/2014 **Status Check (8:15 AM)** (Judicial Officer Barker, David)

Status Check Re: Stay/ Reset Motion for Summary Judgment

[Parties Present](#)

[Minutes](#)

Result: Withdrawn

01/05/2015 **Case Reassigned to Department 24**

District Court Case Reassignment 2015

01/30/2015 **Substitution of Attorney Doc ID# 19**

[19] Substitution of Counsel

02/18/2015 **Order Doc ID# 20**

[20] Order Lifting Stay

02/19/2015 **Notice of Entry of Order Doc ID# 21**

[21] Notice of Entry Order

06/01/2015 **Joint Case Conference Report Doc ID# 22**

	[22] Joint Case Conference Report
06/02/2015	Joint Case Conference Report Doc ID# 23 [23] Joint Case Conference Report
06/29/2015	Scheduling Order Doc ID# 24 [24] Scheduling Order
07/06/2015	Order Setting Civil Bench Trial Doc ID# 25 [25] Order Setting Civil Bench Trial
07/27/2015	Motion Doc ID# 26 [26] Motion for Pre-Trial Coordination on Order Shortening Time
08/07/2015	Response Doc ID# 27 [27] Response to Motion for Pre-Trial Coordination of an Order Shortening time
08/11/2015	Motion to Coordinate (10:30 AM) (Judicial Officer Bare, Rob) Defendant's Motion for Pre-Trial Coordination on Order Shortening Time Minutes Result: Matter Heard
08/11/2015	Answer to Counterclaim Doc ID# 28 [28] Answer to Amended Counterclaim
08/25/2015	Document Filed Doc ID# 29 [29] Proposed Case Management Order
10/01/2015	Opposition Doc ID# 30 [30] Opposition and Notice of Opposition to SFR Investment Pool 1, LLC's Motion for Pre-Trial Coordination on Order Shortening Time
12/20/2015	Notice of Change of Address Doc ID# 31 [31] Notice of Change of Address and Notice of Change of Firm Name
02/02/2016	Motion to Amend Complaint Doc ID# 32 [32] Motion for Leave to Amend Complaint
03/07/2016	Notice of Non Opposition Doc ID# 33 [33] Notice of Non-Opposition to Motion for Leave to Amend Complaint
03/08/2016	Motion (9:00 AM) (Judicial Officer Crockett, Jim) Plaintiff's Motion for Leave to Amend Complaint Parties Present Minutes Result: Granted
03/08/2016	Order Granting Motion Doc ID# 34 [34] Order Granting Motion for Leave to Amend the Complaint
03/09/2016	Notice of Entry of Order Doc ID# 35 [35] Notice of Entry of Order Granting Motion for Leave to Amend Complaint
03/09/2016	Amended Complaint Doc ID# 36 [36] Amended Complaint
03/23/2016	Answer to Amended Complaint Doc ID# 37 [37] SFR Investments Pool 1, LLC's Answer to Amended Complaint
04/14/2016	Motion for Protective Order Doc ID# 45 [45] Motion For Protective Order Relating to Rule 30(b)(6) Deposition of SFR Investments Pool 1, LLC
04/14/2016	Motion for Protective Order Doc ID# 46 [46] Motion For Protective Order Relating to Rule 30(b)(6) Deposition of SFR Investments Pool 1, LLC
04/14/2016	Motion for Protective Order Doc ID# 47 [47] Motion For Protective Order Relating to Rule 30(b)(6) Deposition of SFR Investments Pool 1, LLC
04/27/2016	Motion for Protective Order Doc ID# 38 [38] Motion for Protective Order Relating to Rule 30(b)(6) Deposition of SFR Investments Pool 1, LLC
05/16/2016	Opposition to Motion For Protective Order Doc ID# 39 [39] JPMorgan Chase Bank, N.A.'s Opposition to SFR Investments Pool 1, LLC's Motion for Protective Order Relating to Rule 30(b)(6) Deposition of SFR
05/20/2016	Stipulation and Order Doc ID# 40 [40] Stipulation and Order to Continue hearing on Motion for Protective Order
05/20/2016	Notice of Entry of Stipulation and Order Doc ID# 41 [41] Notice of Entry of Stipulation and Order
05/24/2016	Stipulation and Order Doc ID# 42 [42] Stipulation and Order to Extend Dispositive Motion Deadline (First Request)
05/25/2016	Notice of Entry of Stipulation and Order Doc ID# 43 [43] Notice of Entry of Stipulation and Order to Extend Dispositive Motion Deadline (First Request)
06/07/2016	Reply in Support Doc ID# 44 [44] Reply in Support of Motion for Protective Order Relating to SFR Investments Pool 1, LLC's Rule 30(b)(6) Deposition
06/09/2016	Status Check (9:00 AM) (Judicial Officer Crockett, Jim) Status Check - Trial Readiness Parties Present Minutes Result: Matter Heard
06/13/2016	Motion for Protective Order (1:30 PM) (Judicial Officer Beecroft, Chris A., Jr.) SFR Investments Pool 1, LLC's Motion for Protective Order Relating to Rule 30(b)(6) Deposition of SFR Investments Pool 1, LLC Parties Present Minutes 06/06/2016 Reset by Court to 06/13/2016 Result: Decision Made
06/20/2016	Recorders Transcript of Hearing Doc ID# 48 [48] Recorder's Transcript of Proceedings - SFR Investments Pool 1 LLC's Motion for Protective Order Relating to Rule 30(b)(6) Deposition of SFR Investments Pool 1 LLC - heard on June 13, 2016
06/28/2016	Stipulation and Order Doc ID# 49 [49] Stipulation and Order to Extend Discovery Deadlines (First Request)
07/07/2016	Motion for Summary Judgment Doc ID# 50 [50] SFR Investments Pool 1, LLC's Motion for Summary Judgment
07/11/2016	CANCELED Status Check: Compliance (2:00 PM) (Judicial Officer Beecroft, Chris A., Jr.)

07/11/2016 *Vacated - per Commissioner*
CANCELED Status Check: Compliance (2:00 PM) (Judicial Officer Beecroft, Chris A., Jr.)
Vacated - Duplicate Entry

07/11/2016 **CANCELED Status Check: Compliance** (2:00 PM) (Judicial Officer Beecroft, Chris A., Jr.)
Vacated - Duplicate Entry

07/13/2016 **Objection to Discovery Commissioners Report and Recommend Doc ID# 51**
[51] JPMorgan Chase Bank NA's Objection to Discovery Commissioner's Report and Recommendations Re: SFR Investment Pool 1, LLC's Motion for Protective Order Relating to Rule 30(b)(6) Deposition of SFR

07/13/2016 **Motion to Extend Discovery Doc ID# 52**
[52] JPMorgan Chase Bank NA's Motion to Extend Dispositive Motion Deadline and Continue Trial

07/15/2016 **Ex Parte Application Doc ID# 53**
[53] JPMorgan Chase Bank NA's Ex Parte Application for an Order to Shorten Time on its Motion to Extend Dispositive Motion Deadline and Continue Trial

07/19/2016 **Order Doc ID# 54**
[54] Order on JPMorgan Chase Bank NA's Ex Parte Application for an Order to Shorten Time on its Motion to Extend Dispositive Motion Deadline and Continue Trial

07/21/2016 **Discovery Commissioners Report and Recommendations Doc ID# 55**
[55] Discovery Commissioner's Report and Recommendations as to Motion for Protective Order Relating to Rule 30(b)(6) Deposition of SFR Investments Pool 1, LLC

07/22/2016 **Motion in Limine Doc ID# 56**
[56] JPMorgan Chase Bank NA's Motion to Exclude Testimony of Michael Brunson

07/22/2016 **Appendix Doc ID# 57**
[57] Appendix of Exhibits to JPMorgan Chase Bank NA's Motion to Exclude Testimony of Michael Brunson

07/22/2016 **Motion to Compel Doc ID# 58**
[58] JP Morgan Chase Bank NA's Motion to Compel

07/26/2016 **Opposition to Motion For Summary Judgment Doc ID# 59**
[59] JPMorgan Chase Bank, N.A.'s Opposition to SFR Investment Pool 1, LLC's Motion for Summary Judgment

07/26/2016 **Motion for Summary Judgment Doc ID# 60**
[60] JPMorgan Chase Bank, N.A.'s Motion for Summary Judgment

07/26/2016 **Appendix Doc ID# 61**
[61] JP Morgan Chase Bank, N.A.'s Joint Appendix of Exhibits to Motion for Summary Judgment and Opposition to Sfr Investments Pool 1, LLC's Motion for Summary Judgment

08/01/2016 **Opposition to Motion Doc ID# 62**
[62] SFR Investments Pool 1, LLC's Opposition To Jpmorgan Chase Bank, N.A.'S Motion To Extend Dispositive Motion Deadline And Continue Trial

08/01/2016 **Reply in Support Doc ID# 63**
[63] SFR Investments Pool 1, LLC's Reply in Support of its Motion for Summary Judgment

08/02/2016 **Reply to Opposition Doc ID# 64**
[64] JPMorgan Chase Bank, N.A.'s Reply to SFR Investments Pool 1, LLC's Opposition to Motion to Extend Dispositive Motion Deadline and Continue Trial

08/02/2016 **Notice Doc ID# 65**
[65] Notice of Constitutional Challenge

08/08/2016 **Opposition to Motion in Limine Doc ID# 66**
[66] Opposition to Motion to Exclude Testimony of Michael Brunson

08/08/2016 **Opposition to Motion Doc ID# 67**
[67] SFR Investments Pool 1, LLC's Opposition to JP Morgan Chase Bank, N.A.'s Motion to Compel

08/08/2016 **Amended Certificate of Service Doc ID# 68**
[68] Amended Certificate of Service for Opposition to Motion to Exclude Testimony of Michael Brunson

08/09/2016 **Pre Trial Conference** (9:30 AM) (Judicial Officer Crockett, Jim)
Stipulation and Order
 Result: Matter Heard

08/09/2016 **Motion for Summary Judgment** (9:00 AM) (Judicial Officer Crockett, Jim)
SFR Investments Pool 1, LLC's Motion for Summary Judgment
 Result: Granted

08/09/2016 **Motion** (9:00 AM) (Judicial Officer Crockett, Jim)
JPMorgan Chase Bank NA's Motion to Extend Dispositive Motion Deadline and Continue Trial
08/16/2016 Reset by Court to 08/09/2016
 Result: Moot

08/09/2016 **All Pending Motions** (9:00 AM) (Judicial Officer Crockett, Jim)
[Parties Present](#)
[Minutes](#)
 Result: Matter Heard

08/12/2016 **Opposition to Motion For Summary Judgment Doc ID# 69**
[69] SFR Investments Pool 1, LLC's Opposition To JPMorgan Chase Bank, National Association's Motion For Summary Judgment

08/22/2016 **CANCELED Motion to Compel** (1:30 PM) (Judicial Officer Beecroft, Chris A., Jr.)
Vacated - per Commissioner
JP Morgan Chase Bank NA's Motion to Compel

08/23/2016 **Motion** (9:00 AM) (Judicial Officer Crockett, Jim)
JPMorgan Chase Bank NA's Motion to Exclude Testimony of Michael Brunson
[Parties Present](#)
[Minutes](#)
 Result: Matter Settled

08/23/2016 **Order Granting Motion Doc ID# 70**
[70] Order Granting SFR Investments Pool 1, LLC's Motion for Summary Judgment

08/24/2016 **Notice of Entry of Order Doc ID# 71**
[71] Notice of Entry of Order Granting SFR Investments Pool 1, LLC's Motion for Summary Judgment

08/30/2016 **Memorandum of Costs and Disbursements Doc ID# 72**
[72] SFR Investments Pool 1, LLC's Memorandum of Costs And Distributions

09/01/2016 **CANCELED Calendar Call** (9:30 AM) (Judicial Officer Crockett, Jim)
Vacated - Case Closed

09/01/2016 **CANCELED Motion for Summary Judgment** (9:00 AM) (Judicial Officer Crockett, Jim)

	<i>Vacated - Case Closed</i>
	<i>JPMorgan Chase Bank, N.A.'s Motion for Summary Judgment</i>
09/06/2016	CANCELED Bench Trial (10:00 AM) (Judicial Officer Crockett, Jim)
	<i>Vacated - Case Closed</i>
09/13/2016	Motion for Attorney Fees and Costs Doc ID# 73
	<i>[73] SFR Investments Pool 1, LLC's Motion for Attorneys Fees</i>
09/16/2016	Case Appeal Statement Doc ID# 74
	<i>[74] Case Appeal Statement</i>
09/16/2016	Notice of Appeal Doc ID# 75
	<i>[75] Notice of Appeal</i>
09/30/2016	Opposition to Motion Doc ID# 76
	<i>[76] Opposition to SFR Investments Pool 1, LLC's Motion for Attorneys Fees</i>
10/19/2016	Notice of Withdrawal of Motion Doc ID# 77
	<i>[77] Notice of Withdrawal of SFR's Motion for Attorneys Fees</i>
10/20/2016	CANCELED Motion for Attorney Fees (9:00 AM) (Judicial Officer Crockett, Jim)
	<i>Vacated</i>
	<i>SFR Investments Pool 1, LLC's Motion for Attorneys Fees</i>
10/31/2016	Reporters Transcript Doc ID# 78
	<i>[78] Reporter's Transcript of Proceedings Hearing</i>
11/10/2016	Reporters Transcript Doc ID# 79
	<i>[79] Transcript of Proceedings: Defendant SFR Investments Pool 1, LLC.'s Motion for Summary Judgment and Plaintiff JP Morgan Chase Bank, N.A.'s Motion to Extend Dispositive Motion Deadline and to Continue Trial August 9, 2016</i>
01/09/2017	Motion Doc ID# 80
	<i>[80] SFR Investments Pool 1, LLC's Motion to Alter Order Granting Motion for Summary Judgment Due to Clerical Mistake on Order Shortening Time</i>
01/13/2017	Opposition to Motion Doc ID# 81
	<i>[81] Opposition to SFR Investments Pool 1, LLC's Motion to Alter Order Granting Motion for Summary Judgment</i>
01/20/2017	Reply in Support Doc ID# 82
	<i>[82] Reply In Support Of SFR Investments Pool 1, LLC's Motion To Alter Order Granting Motion For Summary Judgment Due To Clerical Mistake On Order Shortening Time</i>
01/25/2017	Objection Doc ID# 83
	<i>[83] Objection to Newly Raised Arguments in Reply in Support of SFR Investments Pool 1, LLC's Motion to Alter Order Granting Motion for Summary Judgment</i>
01/26/2017	Motion (9:00 AM) (Judicial Officer Crockett, Jim)
	<i>SFR Investments Pool 1, LLC's Motion to Alter Order Granting Motion for Summary Judgment Due to Clerical Mistake on Order Shortening Time</i>
	Parties Present
	Minutes
	Result: Denied
02/10/2017	Order Denying Motion Doc ID# 84
	<i>[84] Order Denying Motion to Alter Order Granting Motion for Summary Judgment Due to Clerical Mistake on Order Shortening Time</i>
02/13/2017	Notice of Entry of Order Doc ID# 85
	<i>[85] Notice of Entry of Order Denying Motion to Alter Order Granting Motion for Summary Judgment Due To Clerical Mistake on Order Shortening Time</i>
09/18/2017	Stipulation and Order Doc ID# 86
	<i>[86] Stipulation Requesting Reconsideration and Certification</i>
09/20/2017	Notice of Entry of Stipulation and Order Doc ID# 87
	<i>[87] Notice of Entry of Stipulation Requesting Reconsideration and Certification</i>
11/02/2017	NV Supreme Court Clerks Certificate/Judgment - Dismissed Doc ID# 88
	<i>[88] Nevada Supreme Court Clerk's Certificate Judgment - Remand and Dismissed</i>
12/12/2017	Further Proceedings (9:00 AM) (Judicial Officer Crockett, Jim)
	<i>Order Setting Further Proceedings Re: Supreme Court Order and Remand</i>
	Parties Present
	Minutes
	Result: Set Status Check
12/13/2017	Notice of Change of Address Doc ID# 89
	<i>[89] Notice of Change of Address (Effective December 18, 2017)</i>
01/09/2018	Status Check (9:00 AM) (Judicial Officer Crockett, Jim)
	<i>Status Check: Stipulation and Order to Extend Discovery in Furtherance of the Supreme Court Order and Remand</i>
	Parties Present
	Minutes
	Result: Matter Heard
01/23/2018	Motion to Extend Discovery Doc ID# 90
	<i>[90] (2/1/2018 Withdrawn) Motion to Extend Discovery and Re-Set Trail</i>
01/30/2018	Opposition to Motion Doc ID# 91
	<i>[91] SFR Investments Pool 1, LLC's Opposition to Plaintiff's Motion to Extend</i>
02/01/2018	Notice of Withdrawal of Motion Doc ID# 92
	<i>[92] Notice of Withdrawal of Motion to Extend Discovery Deadlines and Re-Set Trial Date</i>
02/13/2018	Motion to Extend Discovery (9:00 AM) (Judicial Officer Crockett, Jim)
	<i>Plaintiff's Motion to Extend Discovery Deadlines and to Re-Set Trial Date (Second Request)</i>
	Parties Present
	Minutes
	Result: Matter Heard
02/26/2018	Stipulation and Order Doc ID# 93
	<i>[93] Stipulation and Order Regarding Timing for Trial Under N.R.C.P. 41(e)</i>
02/27/2018	Notice of Entry Doc ID# 94
	<i>[94] Notice of Entry of Stipulation and Order Regarding Timing for Trial Under N.R.C.P. 41(e)</i>
03/27/2018	Motion for Summary Judgment Doc ID# 95
	<i>[95] (3/29/2018 Withdrawn) SFR Investments Pool 1, LLC's Motion for Summary Judgment</i>
03/29/2018	Notice of Withdrawal of Motion Doc ID# 96
	<i>[96] Notice of Withdrawal of SFR's Motion for Summary Judgment</i>

04/04/2018 **Stipulation and Order Doc ID# 97**
[97] Stipulation and Order to Re-Set Dispositive Motion Deadline and Trial Date

04/11/2018 **Notice of Entry of Stipulation and Order Doc ID# 98**
[98] Notice of Entry of Stipulation and Order to Re-Set Dispositive Motion Deadline and Trial Date

04/13/2018 **Appendix Doc ID# 99**
[99] JPMorgan Chase Bank, N.A.'s Appendix of Exhibits to Motion for Summary Judgment

04/13/2018 **Motion for Summary Judgment Doc ID# 100**
[100] SFR Investments Pool 1, LLC's Motion for Summary Judgment

04/13/2018 **Motion for Summary Judgment Doc ID# 101**
[101] JPMorgan Chase Bank N.A.'s Motion for Summary Judgment

05/04/2018 **Stipulation and Order Doc ID# 102**
[102] Stipulation and order to Extend Briefing Deadlines for Dispositive Motions

05/04/2018 **Notice of Entry Doc ID# 103**
[103] Notice of Entry of Stipulation and Order to Extend Briefing Deadlines for Dispositive Motions

05/04/2018 **Opposition to Motion For Summary Judgment Doc ID# 104**
[104] JPMorgan Chase Bank, N.A.'s Opposition to SFR's Motion for Summary Judgment

05/04/2018 **Opposition and Countermotion Doc ID# 105**
[105] SFR Investments Pool 1, LLC's Opposition to JP Morgan Chase Bank N. A.'s Motion for Summary Judgment and Countermotion to Strike

05/17/2018 **CANCELED Motion for Summary Judgment (9:00 AM) (Judicial Officer Crockett, Jim)**
Vacated
SFR Investments Pool 1, LLC's Motion for Summary Judgment

05/18/2018 **Reply in Support Doc ID# 106**
[106] SFR Investments Pool 1, LLC's Reply in Support of Motion for Summary Judgment

05/25/2018 **Reply in Support Doc ID# 107**
[107] JPMorgan Chase Bank N.A.'S Reply in Support of Motion for Summary Judgment

05/29/2018 **Reply in Support Doc ID# 108**
[108] SFR Investments Pool 1 LLC's Reply in support of its counter-motion to strike

06/05/2018 **Motion for Summary Judgment (9:00 AM) (Judicial Officer Crockett, Jim)**
Defendant SFR Investments Pool 1, LLC's Motion for Summary Judgment

06/05/2018 **Motion for Summary Judgment (9:00 AM) (Judicial Officer Crockett, Jim)**
Plaintiff JPMorgan Chase Bank NA's Motion for Summary Judgment

06/05/2018 **Opposition and Countermotion (9:00 AM) (Judicial Officer Crockett, Jim)**
Defendant SFR Investments Pool 1, LLC's Opposition to JP Morgan Chase Bank N. A.'s Motion for Summary Judgment and Countermotion to Strike

06/05/2018 **All Pending Motions (9:00 AM) (Judicial Officer Crockett, Jim)**
[Parties Present](#)
[Minutes](#)
 Result: Matter Heard

06/06/2018 **Order Setting Civil Non-Jury Trial Doc ID# 109**
[109] Order Setting Civil Non-Jury Trial

08/15/2018 **Findings of Fact, Conclusions of Law and Judgment Doc ID# 110**
[110] (2/6/19 Vacated) Findings of Fact and Conclusions of Law and Judgment in Favor of SFR Investments Pool 1, LLC

08/16/2018 **Notice of Entry of Findings of Fact, Conclusions of Law Doc ID# 111**
[111] (2/6/19 Vacated) Notice of entry of Findings of Fact, Conclusions of Law and Judgment in Favor of SFR Investments Pool 1, LLC

08/22/2018 **Memorandum of Costs and Disbursements Doc ID# 112**
[112] SFR Investments Pool 1, LLC's Memorandum of Costs and Disbursements

08/23/2018 **CANCELED Status Check: Trial Readiness (9:00 AM) (Judicial Officer Crockett, Jim)**
Vacated - per Law Clerk

09/17/2018 **Notice of Appeal Doc ID# 113**
[113]

09/17/2018 **Case Appeal Statement Doc ID# 114**
[114]

10/16/2018 **CANCELED Pre Trial Conference (9:30 AM) (Judicial Officer Crockett, Jim)**
Vacated - per Law Clerk

11/01/2018 **CANCELED Calendar Call (9:30 AM) (Judicial Officer Crockett, Jim)**
Vacated - per Law Clerk

11/13/2018 **CANCELED Bench Trial (10:00 AM) (Judicial Officer Crockett, Jim)**
Vacated - per Law Clerk

12/14/2018 **Request Doc ID# 115**
[115] Request for Transcript of Proceedings

02/06/2019 **Stipulation and Order Doc ID# 116**
[116] Stipulation and Order

02/06/2019 **Notice of Entry of Stipulation and Order Doc ID# 117**
[117] Notice of Entry of Stipulation and Order

02/12/2019 **Stipulation and Order Doc ID# 118**
[118] Stipulation and Order Dismissing Third Cause of Action (Unjust Enrichment) With Prejudice

02/13/2019 **Notice of Entry of Stipulation and Order Doc ID# 119**
[119] Notice of Entry of Stipulation and Order Dismissing Third Cause of Action (Unjust Enrichment) with Prejudice

11/02/2020 **Order Doc ID# 120**
[120] Order to Appear RE:Supreme Court Remand

12/17/2020 **Status Check (9:00 AM) (Judicial Officer Crockett, Jim)**
12/17/2020, 03/18/2021
Status Check: Supreme Court Remand
[Parties Present](#)
[Minutes](#)
03/18/2021 Reset by Court to 03/18/2021
03/18/2021 Reset by Court to 03/18/2021
 Result: Matter Continued

01/04/2021 **Case Reassigned to Department 8**
Judicial Reassignment to Judge Jessica K. Peterson

02/04/2021 **Notice of Change of Hearing Doc ID# 121**

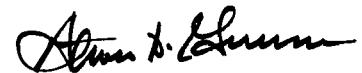
	[121] Notice of Change of Hearing	
05/04/2021	NV Supreme Court Clerks Certificate/Judgment -Remanded Doc ID# 122	
	[122] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Reversed and Remand; Rehearing Denied	
05/06/2021	Order Doc ID# 123	
	[123] Order to Appear RE: Supreme Court Remand	
05/27/2021	Further Proceedings (10:00 AM) (Judicial Officer Peterson, Jessica K.)	
	Further Proceedings: Supreme Court Remand	
	Parties Present	
	Minutes	
	Result: Matter Heard	
06/09/2021	Judgment Doc ID# 124	
	[124] Judgement in Favor of JPMorgan Chase Bank National Association	
06/11/2021	Notice Doc ID# 125	
	[125] Notice of Disassociation of Counsel	
06/14/2021	Memorandum of Costs and Disbursements Doc ID# 126	
	[126] Verified Memorandum of Costs	
06/17/2021	Motion to Retax Doc ID# 127	
	[127] SFR Investments Pool 1, LLC's Motion to Retax and Settle Memorandum of Costs and Disbursements	
06/18/2021	Clerk's Notice of Hearing Doc ID# 128	
	[128] Notice of Hearing	
07/01/2021	Opposition Doc ID# 129	
	[129] JPMorgan Chase Bank, National Association's Opposition to SFR Investments Pool 1, LLC's Motion to Retax and Settle Memorandum of Costs and Disbursements	
07/07/2021	CANCELED Status Check (3:00 AM) (Judicial Officer Peterson, Jessica K.)	
	Vacated	
	Status Check: Filing of Order (5/27 Supreme Court Remand)	
07/09/2021	Notice of Appeal Doc ID# 130	
	[130] Notice of Appeal	
07/09/2021	Case Appeal Statement Doc ID# 131	
	[131] Case Appeal Statement	
07/13/2021	Reply in Support Doc ID# 132	
	[132] SFR Investments Pool 1, LLC's Reply in Support of its Motion to Retax and Settle Memorandum of Costs and Disbursements	
07/20/2021	Motion to Retax (10:00 AM) (Judicial Officer Peterson, Jessica K.)	
	SFR Investments Pool 1, LLC's Motion to Retax and Settle Memorandum of Costs and Disbursements	
	Result: Granted in Part	
08/01/2021	Order Doc ID# 133	
	[133] Order on SFR Investments Pool 1, LLC Motion to Retax and Settle Memorandum of Cost and Disbursements	

FINANCIAL INFORMATION

	Counter Claimant SFR Investments Pool 1 LLC		
	Total Financial Assessment		847.00
	Total Payments and Credits		847.00
	Balance Due as of 08/09/2021		0.00
03/19/2014	Transaction Assessment		223.00
03/19/2014	Efile Payment	Receipt # 2014-33017-CCCLK	(223.00)
07/07/2016	Transaction Assessment		200.00
07/07/2016	Efile Payment	Receipt # 2016-64957-CCCLK	(200.00)
03/28/2018	Transaction Assessment		200.00
03/28/2018	Efile Payment	Receipt # 2018-21794-CCCLK	(200.00)
04/16/2018	Transaction Assessment		200.00
04/16/2018	Efile Payment	Receipt # 2018-25903-CCCLK	(200.00)
07/09/2021	Transaction Assessment		24.00
07/09/2021	Efile Payment	Receipt # 2021-42810-CCCLK	(24.00)
	Counter Defendant JPMorgan Chase Bank National Association		
	Total Financial Assessment		918.00
	Total Payments and Credits		918.00
	Balance Due as of 08/09/2021		0.00
11/27/2013	Transaction Assessment		270.00
11/27/2013	Efile Payment	Receipt # 2013-144047-CCCLK	(270.00)
03/31/2014	Transaction Assessment		200.00
03/31/2014	Efile Payment	Receipt # 2014-37686-CCCLK	(200.00)
07/26/2016	Transaction Assessment		200.00
07/26/2016	Efile Payment	Receipt # 2016-71812-CCCLK	(200.00)
09/16/2016	Transaction Assessment		24.00
09/16/2016	Efile Payment	Receipt # 2016-90034-CCCLK	(24.00)
04/16/2018	Transaction Assessment		200.00
04/16/2018	Efile Payment	Receipt # 2018-25983-CCCLK	(200.00)
09/26/2018	Transaction Assessment		24.00
09/26/2018	Payment (Window)	Receipt # 2018-64395-CCCLK	(24.00)
		Ballard Spahr	

EXHIBIT 2

EXHIBIT 2



CLERK OF THE COURT

1 ACOM
Abran E. Vigil
2 Nevada Bar No. 7548
Russell J. Burke
3 Nevada Bar No. 12710
Holly Ann Priest
4 Nevada Bar No. 13226
BALLARD SPAHR LLP
5 100 North City Parkway, Suite 1750
Las Vegas, Nevada 89106-4617
6 Telephone: (702) 471-7000
Facsimile: (702) 471-7070
7 E-Mail: vigila@ballardspahr.com
E-Mail: burker@ballardspahr.com
8 E-Mail: priesth@ballardspahr.com

9 *Attorneys for Plaintiff and Counter-Defendant*
10 *JPMorgan Chase Bank N.A.*

11 DISTRICT COURT
CLARK COUNTY, NEVADA

12 JPMORGAN CHASE BANK, NATIONAL)
ASSOCIATION, a national association,)

CASE NO. A-13-692304-C

13 Plaintiff,

DEPT NO. XXIV

14 vs.

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

16 Defendants.)

17 SFR INVESTMENTS POOL 1, LLC a)
18 Nevada limited liability company,)

19 Counter-Claimant,)

20 vs.)

21 JPMORGAN CHASE BANK NATIONAL)
ASSOCIATION, a national association;)
22 ROBERT M. HAWKINS, an individual;)
CHRISTINE V. HAWKINS, an individual;)
23 DOES 1-10 and ROE BUSINESS)
ENTITIES 1 through 10, inclusive,)

24 Counter-Defendant/Cross-)
25 Defendants.)
26)
27)
28)

BALLARD SPAHR LLP
100 NORTH CITY PARKWAY, SUITE 1750
LAS VEGAS, NEVADA 89106
(702) 471-7000 FAX (702) 471-7070

1 AMENDED COMPLAINT

2 Plaintiff JPMorgan Chase Bank, N.A. ("Chase"), by and through its counsel of
3 record, hereby complain against Defendant SFR Investments Pool 1, LLC ("SFR") in
4 this Amended Complaint as follows:

5 I.

6 PARTIES, JURISDICTION AND VENUE

7 1. Chase is a national banking association headquartered in Ohio and
8 doing business in Clark County.

9 2. Upon information and belief, SFR is a Nevada limited liability company
10 whose principal place of business in Nevada.

11 3. The real property that is the subject matter of this action is situated in
12 Clark County, Nevada.

13 4. This Court has personal jurisdiction over SFR because SFR is a Nevada
14 limited liability company and because this lawsuit arises out of and is connected with
15 SFR's purposeful purchase of an interest in real property situated in Clark County,
16 Nevada.

17 5. Venue is proper with this district pursuant to NRS 13.010 because the
18 property at issue in this action is located in Clark County.

19 6. Venue is also proper in this district pursuant to NRS 13.040 because
20 SFR resides in this district.

21 II.

22 GENERAL ALLEGATIONS

23 *The Property and the Deed of Trust*

24 7. This action related to the parties' rights in that certain real property
25 commonly described as 3263 Morning Springs Dr., Henderson, Nevada, 89074; APN
26 177-24-514-043 (the "Property"). The Property is legally described as:
27 Lot Fifty (50) in Block Ten (10) of SEASONS AT PEBBLE
28 CANYON, as shown by map thereof on file in Book 53 of
Plats, Page 45, in the Office of the County Recorded of
Clark County, Nevada.

11. On or about June 12, 2006, upon information and belief, the Property was conveyed from Nathan Van Noy to Robert and Christine Hawkins (the "Borrowers").

12. On or about June 12, 2006, a Deed of Trust (the "Deed of Trust") securing a loan in the amount of \$240,000 (the "Hawkins Loan") was recorded as Book and Instrument Number 20060612-0003526 in the Official Records of the Clark County Recorder, showing: the Borrowers as borrowers; GreenPoint Mortgage Funding, Inc. as lender; Mortgage Electronic Registration Systems, Inc. ("MERS") as the beneficiary as nominee for Lender and Lender's successor and assigns; and Marin Conveyancing Corp. as trustee.

13. On or about June 20, 2006, Federal Home Loan Mortgage Corporation ("Freddie Mac") purchased the Hawkins Loan, and thereby acquired ownership of both the note and Deed of Trust. Chase became Freddie Mac's servicer for the Hawkins Loan.

a. The relationship between Chase, as the servicer of the Loan, and Freddie Mac, as owner of the Loan, was governed by Freddie Mac's Single-Family Seller/Servicer Guide (the "Guide"). The Guide serves as a central governing document for Freddie Mac's relationship with servicers nationwide. See Guide at 1.2(a), www.freddiemac.com/singlefamily/guide.

b. The Guide provides that:
For each Mortgage purchased by Freddie Mac, the Seller and the Servicer agree that *Freddie Mac may, at any time and without limitation, require the Seller or the Servicer, at the Seller's or the Servicer's expense, to make such endorsements to and assignments and recordations of any of the Mortgage documents so as to reflect the interests of Freddie Mac.*

Guide at 6.6 (emphasis added), www.freddiemac.com/singlfamily/guide.

c. The Guide also provides that:
The Seller/Servicer is not required to prepare an assignment of the Security

1 Instrument to the Federal Home Loan Mortgage Corporation (Freddie Mac).
2 However, *Freddie Mac may, at its sole discretion and at any time, require a*
3 *Seller/Servicer, at the Seller/Servicer's expense, to prepare execute and/or record*
4 *assignments of the Security Instrument to Freddie Mac.*

5 Guide at 22.14 (emphasis added), www.freddiemac.com/singlefamily/guide.

6 14. On or about July 1, 2009, the Borrowers defaulted under the Hawkins
7 Loan and Deed of Trust.

8 15. On or about October 27, 2009, an Assignment of Deed of Trust was
9 recorded as Book and Instrument Number 20091027-0000618 in the Official Records
10 of the Clark County Recorder whereby MERS assigned the Deed of Trust to Chase.

11 ***The HOA Foreclosure and SFR's Purported Acquisition of the Property***

12 16. Upon information and belief, the Property is subject to a Declaration of
13 Covenants, Conditions, and Restrictions (the "CC&Rs") for Pebble Canyon
14 Homeowners Association ("HOA"). The CC&Rs were recorded in the Official Records
15 of the Clark County Recorder on or about November 8, 1991, as Book and Instrument
16 Number 911108-01962.

17 17. Upon information and belief, Nevada Association Services, Inc. ("NAS")
18 is the agent of the HOA and acted as the foreclosure trustee and/or agent, which
19 allegedly mailed and served the foreclosure notices, if any.

20 18. On or about August 3, 2012, a Notice of Delinquent Assessment Lien
21 was recorded by NAS as Book and Instrument Number 20120803-0002972 in the
22 Official Records of the Clark County Recorder. The Notice of Delinquent Assessment
23 Lien states that the "[t]otal amount due as of today's date is \$1,333.00. This amount
24 includes late fees, collection fees and interest in the amount of \$982.00."

25 19. On or about September 20, 2012, a Notice of Default and Election to Sell
26 Under Homeowners Association Lien was recorded by NAS as Book and Instrument
27 Number 20120920-0001446 in the Official Records of the Clark County Recorder.
28 The Notice of Default and Election to Sell Under Homeowners Association Lien

1 states in part that the allegedly past due "amount is \$2,126.00 as of September 15,
2 2012."

3 20. On or about February 7, 2013, NAS recorded a Notice of Foreclosure
4 Sale as Book and Instrument Number 20130207-0000892 in the Official Records of
5 the Clark County Recorder. The Notice of Sale states that the "[t]otal amount of the
6 unpaid balance of the obligation secured by the property to be sold and reasonable
7 estimated costs, expenses and advances at the time of the initial publication of the
8 Notice of Sale is \$3,142.43."

9 21. On or about March 1, 2013, NAS conducted a foreclosure sale of the
10 Property ("HOA Sale").

11 22. Upon information and belief, SFR bid \$3,700 for the Property at the
12 foreclosure sale.

13 23. Upon information and belief, at the time of the HOA Sale, the fair
14 market value of the Property was approximately \$123,000.

15 24. The amount that SFR paid for the Property was grossly inadequate
16 when compared to the fair market value of the Property at the time of the HOA Sale.

17 24. On or about March 6, 2013, NAS recorded a Foreclosure Deed on the
18 Property as Book and Instrument Number 20130306-0001648 in the Official Records
19 of the Clark County Recorder.

20 26. After the date of the HOA Sale and recordation of the Foreclosure Deed,
21 Chase continued to advance property preservation payments, including but not
22 limited to payment of taxes and homeowners' insurance.

23 27. Neither the Notice of Delinquent Assessment Lien, Notice of Default
24 and Election to Sell Under Homeowners Association Lien, or the Notice of Sale
25 (collectively, the "HOA Assessment Lien and Foreclosure Notices") provided any
26 notice of a right to cure by Plaintiff.

27 28. None of the HOA Assessment Lien and Foreclosure Notices specified
28 what portion, if any, that the HOA claimed constituted a "super-priority."

1 29. None of the HOA Assessment Lien and Foreclosure Notices specified
2 whether the HOA was foreclosing on the "super-priority" portion of its lien, if any, or
3 under the sub-priority lien.

4 30. Upon information and belief, Chase did not receive notice of all of the
5 HOA Assessment Lien and Foreclosure Notices prior to the HOA Sale.

6 31. The HOA Sale deprived Chase of its right to due process.

7 32. The HOA is estopped from claiming that the first Deed of Trust was
8 extinguished by the HOA Sale.

9 33. Under NRS Chapter 116, a lien under NRS 116.3116(1) can only include
10 costs and fees that are specifically enumerated in the statute.

11 34. A homeowners association may only collect as a part of the super-
12 priority lien (a) nuisance abatement charges incurred by the association pursuant to
13 NRS 116.310312 and (b) nine months of common assessments which became due
14 prior to the institution of an action to enforce the lien.

15 35. Upon information and belief, the HOA Assessment Lien and Foreclosure
16 Notices included improper fees and costs in the amount demanded.

17 36. The attorney's fees and costs of collecting on a homeowners association
18 lien cannot be included in the super-priority lien amount.

19 37. Upon information and belief, the HOA Assessment Lien and Foreclosure
20 Notices included fines, interest, late fees, dues, attorney's fees, and costs of collection
21 that are not properly included in a super-priority lien under Nevada law and that are
22 not permissible under NRS 116.3102 *et seq.*

23 38. Upon information and belief, the unpaid principle balance under the
24 Hawkins Loan and Deed of Trust is at least \$198,136.50.

25 39. SFR maintains that it has an interest in the Property.
26
27
28

III.

FIRST CAUSE OF ACTION

(Declaratory Relief)

40. Chase repeats and re-alleges the preceding paragraphs as fully set forth herein and incorporates the same by reference.

41. Pursuant to NRS 40.010, this Court has the power and authority to declare Chase's rights and interest in the Property.

42. The Deed of Trust is a first secured interest on the Property and is superior to the interest, if any, acquired by SFR.

43. SFR claims an interest in the Property adverse to the interest of Chase and Freddie Mac.

44. SFR did not comply with NRS Chapter 116, including, but not limited to, providing notice of the HOA Sale to Chase. The HOA Sale is void and should be rescinded on that basis.

45. The HOA Sale is void and should be rescinded on the basis that it did not provide due process to Chase.

46. SFR's claim of free and clear title to the Property is barred by 12 U.S.C. § 4617(j)(3), which precludes a homeowners association sale from extinguishing Freddie Mac's interest in the Deed of Trust and preempts any state law to the contrary.

47. The amount paid by SFR for the Property is grossly inadequate when compared to the fair market value of the Property at the time of the HOA Sale.

48. For all the reasons set forth above in the General Allegations, Chase is entitled to a declaration from this Court, pursuant to NRS 40.010, that a first position Deed of Trust encumbered the Property and Chase's interest is superior to the interest held by SFR, if any, and all other parties.

SECOND CAUSE OF ACTION

(Quiet Title)

49. Chase repeats and re-alleges the preceding paragraphs as though fully set forth herein and incorporates the same by reference.

50. Pursuant NRS 40.010, this Court has the power and authority to declare Chase's rights and interests in the Property.

51. The Deed of Trust is a first secured interest on the Property and is superior to the interest, if any, acquired by SFR.

52. SFR claims an interest in the Property that is adverse to the interest of Chase and Freddie Mac.

53. SFR did not comply with NRS Chapter 116, including, but not limited to, providing notice of the HOA Sale.

54. SFR's claim of free and clear title to the Property is barred by 12 U.S.C. § 4617(j)(3), which precludes a homeowners association sale from extinguishing Freddie Mac's interest in the Deed of Trust and preempts any state law to the contrary.

55. For all the reasons set forth above in the General Allegations, Chase is entitled to a declaration from this Court, pursuant NRS 40.010, that a Deed of Trust encumbered the Property and is superior to the interest held by SFR, if any, and all other parties. Chase has furthermore been required to retain counsel and is entitled to recover reasonable attorney's fees and costs.

THIRD CAUSE OF ACTION

(Unjust enrichment)

56. Chase repeats and re-alleges the preceding paragraphs as though fully set forth herein and incorporate the same by reference.

57. The HOA Sale unjustly enriched SFR, in that it obtained real property secured by the Deed of Trust with a grossly inadequate purchase price of \$3,700 to

1 the detriment of Chase, and contrary to fundamental principles of fairness, justice,
2 and fair dealing.

3 58. If it is determined that the Deed of Trust has been extinguished by the
4 HOA Sale, SFR has been unjustly enriched, in that Chase (as servicer) has continued
5 to expend funds and resources to maintain and preserve the Property, including but
6 not limited to funds for taxes and insurance to the detriment of Chase, and contrary
7 to fundamental principles of fairness, justice, and fair dealing.

8 59. Chase is entitled to recoup the reasonable amount of benefits obtained
9 by SFR based on the theory of unjust enrichment.

10 60. Chase has furthermore been required to retain counsel and is entitled to
11 recover reasonable attorney's fees and costs.

12 IV.

13 PRAYER

14 Wherefore, Chase prays for judgment against SFR, as follows:

- 15 1. For a declaration and determination that the first position Deed of Trust
16 was not extinguished by the HOA sale.
- 17 2. For a declaration and determination that the HOA sale did not convey
18 the Property free and clear to SFR;
- 19 3. For a declaration and determination that Chase's interest is superior to
20 the interest of SFR;
- 21 4. For a preliminary and permanent injunction that SFR, its successors,
22 assigns, and agents are prohibited from conducting any sale, transfer or
23 encumbrance of the Property;
- 24 5. For a preliminary injunction that SFR, its successors and assigns, be
25 required to pay all taxes, insurance and homeowners association dues
26 during the pendency of this action;
- 27 6. For a preliminary and permanent injunction that SFR, its successors
28 and assigns, pay all taxes, insurance and homeowners association dues

1 during the pendency of this action;

2 7. If it is determined that the Deed of Trust has been extinguished by the
3 HOA sale, for special damages in the amount of the fair market value of
4 the Property or the unpaid balance of the Loan and Deed of Trust, at the
5 time of the HOA sale, whichever is greater;

6 8. For all fees and costs of court incurred herein, including post-judgment
7 costs; and

8 9. For any and all further relief deemed appropriate by this Court.

9 DATED this 8 day of March, 2016.

10 BALLARD SPAHR LLP

11 By: 

12 Abran E. Vigil
13 Nevada Bar No. 7548
14 Russell J. Burke
15 Nevada Bar No. 12710
16 Holly Ann Priest
17 Nevada Bar No. 13226
18 BALLARD SPAHR LLP
19 100 North City Parkway, Suite 1750
20 Las Vegas, Nevada 89106-4617

21 *Attorneys for Plaintiff and Counter-*
22 *Defendant JPMorgan Chase Bank N.A.*
23
24
25
26
27
28

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 9th day of March, 2016, and pursuant to N.R.C.P. 5(b), a true and correct copy of the foregoing Amended Complaint, was served to the following parties in the manner set forth below:

Howard Kim & Associates Howard C. Kim, Esq. Nevada Bar No. 10386 Diana S. Cline, Esq. Nevada Bar No. 10580 Jacqueline A. Gilbert, Esq. Nevada Bar No. 10593 1055 Whitney Ranch Drive, Suite 110 Henderson, Nevada 89014	
Attorneys for SFR Investments Pool, LLC	

☐ HAND DELIVERY

☐ E-MAIL TRANSMISSION

☐ U.S. MAIL, POSTAGE PREPAID

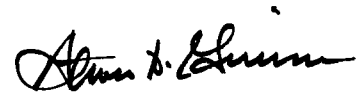
☐ Certified Mail, Receipt No. _____,
Return receipt requested

☒ Via the Wiznet E-Service-generated "Service Notification of Filing" upon all counsel set up to receive notice via electronic service in this matter


An employee of BALLARD SPAHR LLP

EXHIBIT 3

EXHIBIT 3



CLERK OF THE COURT

AANS
HOWARD C. KIM, ESQ.
Nevada Bar No. 10386
E-mail: howard@hkimlaw.com
DIANA S. CLINE, ESQ.
Nevada Bar No. 10580
E-mail: diana@hkimlaw.com
JACQUELINE A. GILBERT, ESQ.
Nevada Bar No. 10593
E-mail: jackie@hkimlaw.com
HOWARD KIM & ASSOCIATES
1055 Whitney Ranch Drive, Suite 110
Henderson, Nevada 89014
Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorneys for Defendant/Counter-claimant
SFR Investments Pool 1, LLC

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association,

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company; DOES 1
through 10; and ROE BUSINESS ENTITIES
1 through 10, inclusive,

Defendants.

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

Counter-Claimant,

vs.

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association;
ROBERT M. HAWKINS, an individual;
CHRISTINE V. HAWKINS, an individual;
DOES 1 10 and ROE BUSINESS ENTITIES
1 through 10 inclusive,

Counter-Defendant/Cross-Defendants.

Case No. A-13-692304-C

Dept. No. XVIII

**AMENDED ANSWER, COUNTERCLAIM
AND CROSS-CLAIM**

HOWARD KIM & ASSOCIATES
1055 WHITNEY RANCH DRIVE, SUITE 110
HENDERSON, NEVADA 89014
(702) 485-3300 FAX (702) 485-3301

Plaintiff SFR INVESTMENTS POOL 1, LLC ("SFR" or "Defendant"), hereby files an amended answer to JPMORGAN CHASE BANK, NATIONAL ASSOCIATION's ("Chase") Complaint as follows:

PARTIES AND JURISDICTION

1. Answering paragraph 1 of the complaint, SFR admits upon information and belief, that the subject matter of Chase's complaint is real property commonly known as **3263 Morning Springs Drive, Henderson, NV 89074**. The remaining allegations in paragraph 1 of the complaint call for a legal conclusion, therefore, no answer is required. To the extent an answer is required, SFR denies the factual allegations contained in paragraph 1 of the complaint.

2. SFR is without sufficient knowledge or information to form a belief as to the truth of the factual allegations contained in paragraph 2 of the complaint, and therefore denies said allegations.

3. SFR admits the factual allegations contained in paragraph 3 of the complaint.

4. SFR is without sufficient knowledge or information to form a belief as to the truth of the factual allegations contained in paragraphs 4 and 5 of the complaint, and therefore denies said allegations.

5. SFR admits the factual allegations contained in paragraphs 6 and 7 of the complaint.

GENERAL ALLEGATIONS

6. SFR is without sufficient knowledge or information to form a belief as to the truth of the factual allegations contained in paragraphs 8, 9, 10 and 11 of the complaint, and therefore denies said allegations.

7. SFR admits the factual allegations contained in paragraph 12 of the complaint.

8. SFR is without sufficient knowledge or information to form a belief as to the truth of the factual allegations contained in paragraph 13 of the complaint, and therefore denies said allegations.

9. SFR admits the factual allegations contained in paragraph 14 of the complaint.

FIRST CAUSE OF ACTION

(Declaratory Relief)

10. SFR repeats and realleges its answers to paragraphs 1 through 14 of the complaint as though fully set forth herein.

11. SFR admits the factual allegations contained in paragraphs 16 and 17 of the complaint.

12. The allegations contained in paragraphs 18, 19 and 20 of the complaint call for a legal conclusion, therefore, no answer is required. To the extent an answer is required, SFR denies the factual allegations contained in paragraphs 18, 19 and 20 of the complaint.

13. SFR denies the factual allegations contained in paragraph 21 of the complaint.

SECOND CAUSE OF ACTION

(Quiet Title)

14. SFR repeats and realleges its answers to paragraphs 1 through 21 of the complaint as though fully set forth herein.

15. The allegations contained in paragraphs 23 and 24 of the complaint call for a legal conclusion, therefore, no answer is required. To the extent an answer is required, SFR denies the factual allegations contained in paragraphs 23 and 24 of the complaint.

16. SFR denies the factual allegations contained in paragraph 25 of the complaint.

AFFIRMATIVE DEFENSES

1. Chase fails to state a claim upon which relief may be granted.

2. Chase is not entitled to relief from or against SFR, as Chase has not sustained any loss, injury, or damage that resulted from any act, omission, or breach by SFR.

3. The occurrence referred to in the Complaint, and all injuries and damages, if any, resulting therefrom, were caused by the acts or omissions of Chase.

4. The occurrence referred to in the Complaint, and all injuries and damages, if any, resulting therefrom, were caused by the acts or omissions of a third party or parties over whom SFR had no control.

5. SFR did not breach any statutory or common law duties allegedly owed to Chase.

6. Chase's claims are barred because SFR complied with applicable statutes and with the

requirements and regulations of the State of Nevada.

7. Chase's causes of action are barred in whole or in part by the applicable statutes of limitations or repose, or by the equitable doctrines of laches, waiver, estoppel, and ratification.

8. Chase is not entitled to equitable relief because it has an adequate remedy at law.

9. Chase has no standing to enforce the first deed of trust and the underlying promissory note.

10. The first deed of trust and other subordinate interests in the Property were extinguished by the Association foreclosure sale held in accordance with NRS Chapter 116.

11. Pursuant to Nevada Rule of Civil Procedure 11, as amended, all possible affirmative defenses may not have been alleged herein insofar as sufficient facts were not available after reasonable inquiry at the time of filing this Answer. Therefore, SFR reserves the right to amend this Answer to assert any affirmative defenses if subsequent investigation warrants.

COUNTERCLAIM AND CROSS-CLAIM

FOR QUIET TITLE AND INJUNCTIVE RELIEF

SFR INVESTMENTS POOL 1, LLC ("SFR"), hereby demands quiet title and requests injunctive relief against Counter-Defendant, JPMORGAN CHASE BANK, NATIONAL ASSOCIATION's ("Chase"), Counter Defendant and ROBERT M. HAWKINS, an individual; CHRISTINE V. HAWKINS, an individual; DOES 1 through 10 and ROE BUSINESS ENTITIES 1 through 10 inclusive, Cross-Defendants as follows:

I. PARTIES

1. SFR is a Nevada limited liability company with its principal place of business in Clark County, Nevada and the current title owner of the property commonly known as **3263 Morning Springs Drive, Henderson, NV 89074; Parcel No. 177-24-514-043** (the "Property").

2. Upon information and belief, Counter-Defendant JPMORGAN CHASE BANK, NATIONAL ASSOCIATION ("Chase"), is a national association that may claim an interest in the Property via a 2006 deed of trust originated by GreenPoint Mortgage Funding, Inc.

9 5. Upon information and belief, each of the Cross-Defendants sued herein as ROES
10 CORPORATIONS I through X, inclusive claim an interest in the Property or are responsible in
11 some manner for the events an happenings herein that SFR seeks to enjoin; that when the true
12 names capacities of such defendants become known, SFR will ask leave of this Court to amend
13 this counterclaim to insert the true names, identities and capacities together with proper charges
14 and allegations.

16 **SFR Acquired Title to the Property through Foreclosure of an Association Lien with Super**
17 **Priority Amounts**

7. On or about March 6, 2013, the resulting foreclosure deed was recorded in the Official Records of the Clark County Recorder as Instrument Number 201303060001648 (“Association Foreclosure Deed”).

28 9. The foreclosure sale was conducted by Nevada Association Services, Inc. (“NAS”), agent

1 for the Association pursuant to the powers conferred by the Nevada Revised Statutes 116.3116,
2 116.31162-116.31168, the Association's governing documents (CC&R's) and a Notice of
3 Delinquent Assessments, recorded on August 3, 2012 in the Official Records of the Clark
4 County Recorder as Instrument Number 201208030002872.

5 10. As recited in the Association Foreclosure Deed, the Association foreclosure sale
6 complied with all requirements of law, including but not limited to, recording and mailing of
7 copies of Notice of Delinquent Assessment and Notice of Default, and the recording, posting and
8 publication of the Notice of Sale.

9 11. Pursuant to NRS 116.3116(2), the entire Association Lien

10 is prior to all other liens and encumbrances of unit except:

11 (a) Liens and encumbrances recorded before the recordation of the declaration
12 and, in a cooperative, liens and encumbrances which the association creates,
assumes or takes subject to;

13 (b) A first security interest on the unit recorded before the date on which the
14 assessment sought to be enforced became delinquent or, in a cooperative, the first
security interest encumbering only the unit's owner's interest and perfected before
the date on which the assessment sought to be enforced became delinquent; and

15 (c) Liens for real estate taxes and other governmental assessments or charges
against the unit or cooperative.

16 12. NRS 116.3116(2) further provides that a portion of the Association Lien has priority over
17 even a first security interest in the Property:

18 [the Association Lien] is also prior to all security interests described in paragraph
19 (b) to the extent of any charges incurred by the association on a unit pursuant to
NRS 116.310312 and to the extent of the assessments for common expenses
20 based on the periodic budget adopted by the association pursuant to NRS
116.3115 which would have become due in the absence of acceleration during the
9 months immediately preceding institution of an action to enforce the lien[.]

21 13. Pursuant to NRS 116.1104, the provisions of NRS 116.3116(2) granting priority cannot
22 be waived by agreement or contract, including any subordination clause in the CC&Rs.

23 14. According to NRS 116.1108, real property law principles supplement the provisions of
24 NRS 116.

25
26 15. Upon information and belief, the Association took the necessary action to trigger the
27 super-priority portion of the Association Lien.

28 16. Upon information and belief, no party still claiming an interest in the Property recorded a

lien or encumbrance prior to the declaration creating the Association.

17. Upon information and belief, SFR's bid on the Property was in excess of the amount necessary to satisfy the costs of sale and the super-priority portion of the Association Lien.

18. Upon information and belief, the Association or its agent NAS has distributed or are attempting to distribute the excess funds to lien holders in order of priority pursuant to NRS 116.31164(c).

19. Upon information and belief, Counter-Defendant and Cross-Defendants had actual or constructive notice of the requirement to pay assessments to the Association and of the Association Lien.

20. Upon information and belief, Counter-Defendant and Cross-Defendants had actual or constructive notice of the Association's foreclosure proceedings.

21. Upon information and belief, prior to the Association foreclosure sale, no individual or entity paid the full amount of delinquent assessments described in the Notice of Default.

22. Upon information and belief, Counter-Defendant Chase had actual or constructive notice of the super-priority portion of the Association Lien.

23. Upon information and belief, Counter-Defendant Chase knew or should have known that its interest in the Property could be extinguished through foreclosure if he failed to cure the super-priority portion of the Association Lien representing 9 months of assessments for common expenses based on the periodic budget adopted by the association which would have become due in the absence of acceleration for the relevant time period.

24. Upon information and belief, prior to the Association foreclosure sale, no individual or entity paid the super-priority portion of the Association Lien representing 9 months of assessments for common expenses based on the periodic budget adopted by the association which would have become due in the absence of acceleration for the relevant time period.

25. SFR learned of the Association foreclosure sale through public notices.

26. Multiple bidders attended the public auction, which was held at the same time, day and place that NAS generally conducts such auctions.

27. SFR is a bona fide purchaser.

28. Pursuant to NRS 116.31166, the foreclosure sale vested title in SFR “without equity or right of redemption,” and the Foreclosure Deed is conclusive against the Property’s “former owner, his or her heirs and assigns, and **all other persons.**”

Interests, Liens and Encumbrances Extinguished by the Super-Priority Association Lien

29. Upon information and belief, the Hawkinses, first obtained title to the Property in June of 2006 through a Grant, Bargain Sale Deed from Nathan VanNoy recorded against the Property in the Official Records of the Clark County Recorder as Instrument No. 200606120003525.

30. On or about June 12, 2006, GreenPoint Mortgage Funding, Inc. (“GreenPoint”) recorded a deed of trust against the Property in the Official Records of the Clark County Recorder as Instrument No. 200606120003526 (“First Deed of Trust”).

31. Upon information and belief, the Association was formed and its declaration of CC&Rs was recorded in the Official Records of the Clark County Recorder before the First Deed of Trust was recorded.

32. Upon information and belief, GreenPoint had actual or constructive notice of the Association Lien and NRS 116.3116 before it funded the loan secured by the First Deed of Trust.

33. The First Deed of Trust contains a Planned Unit Development Rider recognizing the applicability of Association’s declaration of CC&Rs that were recorded.

34. Upon information and belief, on October 26, 2009, Colleen Irby, Officer for Mortgage Electronic Registration Systems, Inc. (“MERS”) executed an assignment that transferred the beneficial interest in the First Deed of Trust, together with the underlying promissory note to Chase. The assignment was recorded on October 27, 2009 against the Property in Official Records of the Clark County Recorder as Instrument No. 200910270000618.

35. Upon information and belief, Chase had actual or constructive notice of the Association Lien and NRS 116.3116 before it obtained an interest in the First Deed of Trust.

36. On or about October 27, 2009, Chase recorded a document substituting California Reconveyance Company (“CRC”) as trustee of the First Deed of Trust.

37. On or about October 27, 2009, CRC recorded a notice of default pursuant to the First Deed of Trust for amounts that became due on July 1, 2009 in the Official Records of the Clark

County Recorder as Instrument No. 200910270000620.

38. On or about, November 27, 2013, Chase filed a Complaint for declaratory relief and quiet title.

39. Counter-Defendant Chase's interest in the Property was extinguished by the foreclosure of the Association Lien.

40. Cross Defendants, the Hawkinses' interest in the Property was extinguished by the foreclosure of the super priority portion of the Association Lien.

III. FIRST CLAIM FOR RELIEF
(Declaratory Relief/Quiet Title Pursuant to NRS 30.010, et. seq., NRS 40.10 & NRS 116.3116)

41. SFR repeats and realleges the allegations of paragraphs 1-40 as though fully set forth herein and incorporates the same by reference.

42. Pursuant to NRS 30.010, et. seq. and NRS 40.10, this Court has the power and authority to declare the SFR's rights and interests in the Property and to resolve the Counter-Defendant and Cross-Defendants' adverse claims in the Property.

43. SFR acquired the Property on March 1, 2013 by successfully bidding on the Property at a publicly-held foreclosure auction in accordance with NRS 116.3116, et. seq. and the resulting Association Foreclosure Deed vesting title in SFR was recorded on March 6, 2013.

44. Upon information and belief, Counter Defendant, Chase may claim an interest in the Property via the First Deed of Trust against the Property even after the Association foreclosure sale.

45. Upon information and belief, Cross-Defendants, the Hawkinses, may claim an ownership interest in the Property.

46. A foreclosure sale conducted pursuant to NRS 116.31162, 116.31163 and 116.31164, like all foreclosure sales, extinguishes the title owner's interest in the Property and all junior liens and encumbrances, including deeds of trust.

47. Pursuant to NRS 116.3116(2), the super-priority portion of the Association Lien has priority over the First Deed of Trust.

48. Counter-Defendant and Cross-Defendants were duly notified of the Association

1 foreclosure sale and failed to act to protect their interests in the Property, if any legitimately
2 existed.

3 49. SFR is entitled to a declaratory judgment from this Court finding that: (1) SFR is the title
4 owner of the Property; (2) the Association Foreclosure Deed is valid and enforceable; (3) the
5 Association foreclosure sale extinguished Counter-Defendant and Cross-Defendants' ownership
6 and security interests in the Property; and (4) SFR's rights and interest in the Property are
7 superior to any adverse interest claimed by Counter-Defendant and Cross-Defendants.

8 50. SFR seeks an order from the Court quieting title to the Property in favor of SFR.

9 **IV. SECOND CLAIM FOR RELIEF**
10 **(Preliminary and Permanent Injunction)**

11 51. SFR repeats and realleges the allegations of paragraphs 1-50 as though fully set forth
12 herein and incorporates the same by reference.

13 52. SFR properly acquired title to the Property at the Association foreclosure sale on March
14 1, 2013.

15 53. Counter-Defendant Chase may claim that it maintained an interest in the Property
16 through the First Deed of Trust which was extinguished by the Association foreclosure sale.

17 54. Cross-Defendants, the Hawkinses, may claim an ownership interest in the Property.

18 55. A foreclosure sale based on the First Deed of Trust is invalid as Counter-Defendant
19 Chase lost its interest in the Property, if any, at the Association foreclosure sale.

20 56. Any sale or transfer of title to the Property by Counter-Defendant and Cross-Defendants
21 would be invalid because their interest in the Property, if any, was extinguished by the
22 Association foreclosure sale.

23 57. Any attempt to take or maintain possession of the Property by Counter-Defendant and
24 Cross-Defendants would be invalid because their interest in the Property, if any, was
25 extinguished by the Association foreclosure sale.

26 58. Any attempt to sell, transfer, encumber or otherwise convey the Property by the Counter-
27 Defendant and Cross-Defendants would be invalid because their interest in the Property, if any,
28 was extinguished by the Association foreclosure sale.

59. On the basis of the facts described herein, SFR has a reasonable probability of success on the merits of its claims and has no other adequate remedies at law.

60. SFR is entitled to a preliminary injunction and permanent injunction prohibiting Counter-Defendant and Cross-Defendants from beginning or continuing any eviction proceedings that would affect SFR's possession of the Property.

61. SFR is entitled to a preliminary injunction and permanent injunction prohibiting Counter-Defendant and Cross-Defendants from any sale or transfer that would affect the title to the Property.

V. PRAYER FOR RELIEF

SFR requests judgment against Counter-Defendant and Cross-Defendants as follows:

1. For a declaration and determination that SFR Investments Pool 1, LLC is the rightful owner of title to the Property, and that Counter Defendant and Cross-Defendants be declared to have no right, title or interest in the Property.

2. For a preliminary and permanent injunction that Counter-Defendant and Cross-Defendants are prohibited from initiating or continuing foreclosure proceedings, and from selling or transferring the Property;

3. For an award of attorney's fees and costs of suit; and

4. For any further relief that the Court may deem just and proper.

DATED March 20th, 2014.

HOWARD KIM & ASSOCIATES

/s/Diana S. Cline

HOWARD C. KIM, ESQ.

Nevada Bar No. 10386

DIANA S. CLINE, ESQ.

Nevada Bar No. 10580

JACQUELINE A. GILBERT, ESQ.

Nevada Bar No. 10593

1055 Whitney Ranch Drive, Suite 110

Henderson, Nevada 89014

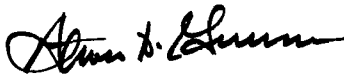
Phone: (702) 485-3300

Fax: (702) 485-3301

Attorneys for SFR Investments Pool 1, LLC

EXHIBIT 4

EXHIBIT 4



CLERK OF THE COURT

SAO

HOWARD C. KIM, ESQ.
Nevada Bar No. 10386
E-mail: howard@hkimlaw.com
DIANA S. CLINE, ESQ.
Nevada Bar No. 10580
E-mail: diana@hkimlaw.com
JACQUELINE A. GILBERT, ESQ.
Nevada Bar No. 10593
E-mail: jackie@hkimlaw.com
HOWARD KIM & ASSOCIATES
1055 Whitney Ranch Drive, Suite 110
Henderson, Nevada 89014
Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorneys for Defendant/Counter-claimant
SFR Investments Pool 1, LLC

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association,

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company; DOES 1
through 10; and ROE BUSINESS ENTITIES
1 through 10, inclusive,

Defendants.

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

Counter-Claimant,

vs.

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association;
ROBERT M. HAWKINS, an individual;
CHRISTINE V. HAWKINS, an individual;
DOES 1 10 and ROE BUSINESS ENTITIES
1 through 10 inclusive,

Counter-Defendant/Cross-Defendants.

Case No. A-13-692304-C

Dept. No. XVIII

**STIPULATION AND ORDER
DISMISSING DEFENDANTS ROBERT M.
HAWKINS AND CHRISTINE V.
HAWKINS WITHOUT PREJUDICE**

Defendants ROBERT M. HAWKINS and CHRISTINE V. HAWKINS ("Hawkins")

HOWARD KIM & ASSOCIATES

1055 WHITNEY RANCH DRIVE, SUITE 110

HENDERSON, NEVADA 89014

(702) 485-3300 FAX (702) 485-3301

1 stipulate and agree that any ownership interest they may have had in the real property
2 commonly known as **3263 Morning Springs Drive, Henderson, NV 89074; Parcel No. 177-**
3 **24-514-043** (the "Property") was extinguished on March 1, 2013, by the foreclosure sale
4 conducted by Nevada Association Services, Inc. ("NAS"), agent for Pebble Canyon
5 Homeowners Association. Further, Defendants stipulate and agree that they surrendered any
6 interest in the Property in their Chapter 7 Bankruptcy, Case No. 12-13397-bam, filed on
7 March 23, 2012 in the U.S. Bankruptcy Court, District of Nevada, and from which they
8 received a discharge on June 26, 2012, and which case was closed on June 29, 2012.

9 Defendants Hawkins further stipulate and agree that they will not contest the validity of
10 the foreclosure deed recorded in the Official Records of the Clark County Recorder as
11 Instrument Number 201303060001648, or any subsequent transactions, including SFR
12 Investments Pool 1, LLC's ("SFR") ownership interest in the Property.

13 Based on these representations, SFR and Defendants Hawkins stipulate and agree that
14 Hawkins shall be dismissed from this action, without prejudice, each party to bear its own fees
15 and costs.

16 DATED this 8 day of April, 2014.

17 HOWARD KIM & ASSOCIATES

18 
19 Diana S. Cline, Esq.

20 Nevada Bar No. 10580

21 1055 Whitney Ranch Drive, Suite 110

22 Henderson, Nevada 89014

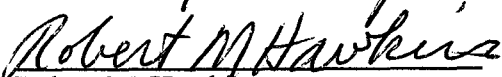
23 Phone: (702) 485-3300

24 Fax: (702) 485-3301

25 *Attorneys for SFR Investments Pool 1, LLC*

26
27
28
///

DATED this 18 day of April, 2014.



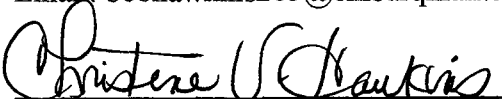
Robert M. Hawkins

4138 Ridgewood Avenue

Las Vegas, Nevada 89120

Phone: (702) 524-5821

Email: bobhawkins265@embarqmail.com



Christine V. Hawkins

4138 Ridgewood Avenue

Las Vegas, Nevada 89120

HOWARD KIM & ASSOCIATES
1055 WHITNEY RANCH DRIVE, SUITE 110
HENDERSON, NEVADA 89014
(702) 485-3300 FAX (702) 485-3301

1 DATED this _____ day of _____, 2014.

2 TIFFANY & BOSCO P.A.

3 _____
4 Gregory L. Wilde, Esq.
5 Nevada Bar No. 4417
6 212 South Jones Blvd.
7 Las Vegas, Nevada 89107
8 Phone: (702) 258-8200
9 Fax: (702) 258-8787
10 Attorneys for Plaintiff

11 ORDER

12 IT IS SO ORDERED, that Robert Hawkins and Christine Hawkins are
13 dismissed from case number A692304

14 Dated this _____ day of _____, 2014.

15 *Dated: 4-21-14*

16 _____
17 DISTRICT COURT JUDGE

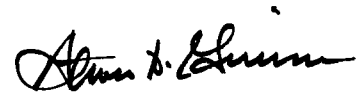
18 Respectfully Submitted by:

19 **HOWARD KIM & ASSOCIATES**

20 _____
21 HOWARD C. KIM, ESQ.
22 Nevada Bar No. 10386
23 DIANA S. CLINE, ESQ.
24 Nevada Bar No. 10580
25 JACQUELINE A. GILBERT, ESQ.
26 Nevada Bar No. 10593
27 1055 Whitney Ranch Drive, Suite 110
28 Henderson, Nevada 89014
Phone: (702) 485-3300
Fax: (702) 485-3301
Attorneys for SFR Investments Pool 1, LLC

EXHIBIT 5

EXHIBIT 5



CLERK OF THE COURT

NESO

HOWARD C. KIM, ESQ.
Nevada Bar No. 10386
E-mail: howard@hkimlaw.com

DIANA S. CLINE, ESQ.

Nevada Bar No. 10580

E-mail: diana@hkimlaw.com

JACQUELINE A. GILBERT, ESQ.

Nevada Bar No. 10593

E-mail: jackie@hkimlaw.com

HOWARD KIM & ASSOCIATES

1055 Whitney Ranch Drive, Suite 110

Henderson, Nevada 89014

Telephone: (702) 485-3300

Facsimile: (702) 485-3301

Attorneys for Defendant/Counter-claimant

SFR Investments Pool 1, LLC

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association,

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company; DOES 1
through 10; and ROE BUSINESS ENTITIES
1 through 10, inclusive,

Defendants.

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

Counter-Claimant,

vs.

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association;
ROBERT M. HAWKINS, an individual;
CHRISTINE V. HAWKINS, an individual;
DOES 1 10 and ROE BUSINESS ENTITIES
1 through 10 inclusive,

Counter-Defendant/Cross-Defendants.

Case No. A-13-692304-C

Dept. No. XVIII

**NOTICE OF ENTRY OF STIPULATION
AND ORDER**

HOWARD KIM & ASSOCIATES
1055 WHITNEY RANCH DRIVE, SUITE 110
HENDERSON, NEVADA 89014
(702) 485-3300 FAX (702) 485-3301

1 PLEASE TAKE NOTICE that a **STIPULATION AND ORDER DISMISSING**
2 **DEFENDANTS ROBERT M. HAWKINS AND CHRISTINE V. HAWKINS WITHOUT**
3 **PREJUDICE** was entered by this Court on April 23, 2014. A copy of said order is attached
4 hereto.

5 DATED April 24, 2014.

HOWARD KIM & ASSOCIATES

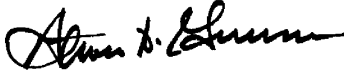
6 /s/ Diana S. Cline
7 Howard C. Kim, Esq.
8 Nevada Bar No. 10386
9 Diana S. Cline, Esq.
10 Nevada Bar No. 10580
11 1055 Whitney Ranch Dr., Suite 110
12 Henderson, Nevada 89014
13 Phone: (702) 485-3300
14 Fax: (702) 485-330
15 *Attorneys for Plaintiff*

CERTIFICATE OF SERVICE

14 I HEREBY CERTIFY that on this 24th day of April, 2014, pursuant to NRCP 5(b), I
15 served the following parties listed below by depositing via U.S. mail first class a true and
16 correct copy of the foregoing **NOTICE OF ENTRY OF STIPULATION AND ORDER**,
17 postage prepaid and addressed to:

18 Gregory Wilde, Esq.
19 Tiffany & Bosco P.A.
20 212 S. Jones Blvd.
21 Las Vegas, NV 89107
22 *Attorney for JPMorgan Chase Bank*
23 *National Association*

22 /s/ Tommie Dooley
23 An employee of Howard Kim & Associates



CLERK OF THE COURT

SAO

HOWARD C. KIM, ESQ.
Nevada Bar No. 10386
E-mail: howard@hkimlaw.com
DIANA S. CLINE, ESQ.
Nevada Bar No. 10580
E-mail: diana@hkimlaw.com
JACQUELINE A. GILBERT, ESQ.
Nevada Bar No. 10593
E-mail: jackie@hkimlaw.com
HOWARD KIM & ASSOCIATES
1055 Whitney Ranch Drive, Suite 110
Henderson, Nevada 89014
Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorneys for Defendant/Counter-claimant
SFR Investments Pool 1, LLC

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association,

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company; DOES 1
through 10; and ROE BUSINESS ENTITIES
1 through 10, inclusive,

Defendants.

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

Counter-Claimant,

vs.

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association;
ROBERT M. HAWKINS, an individual;
CHRISTINE V. HAWKINS, an individual;
DOES 1 10 and ROE BUSINESS ENTITIES
1 through 10 inclusive,

Counter-Defendant/Cross-Defendants.

Case No. A-13-692304-C

Dept. No. XVIII

**STIPULATION AND ORDER
DISMISSING DEFENDANTS ROBERT M.
HAWKINS AND CHRISTINE V.
HAWKINS WITHOUT PREJUDICE**

Defendants ROBERT M. HAWKINS and CHRISTINE V. HAWKINS ("Hawkins")

HOWARD KIM & ASSOCIATES

1055 WHITNEY RANCH DRIVE, SUITE 110

HENDERSON, NEVADA 89014

(702) 485-3300 FAX (702) 485-3301

1 stipulate and agree that any ownership interest they may have had in the real property
2 commonly known as **3263 Morning Springs Drive, Henderson, NV 89074; Parcel No. 177-**
3 **24-514-043** (the "Property") was extinguished on March 1, 2013, by the foreclosure sale
4 conducted by Nevada Association Services, Inc. ("NAS"), agent for Pebble Canyon
5 Homeowners Association. Further, Defendants stipulate and agree that they surrendered any
6 interest in the Property in their Chapter 7 Bankruptcy, Case No. 12-13397-bam, filed on
7 March 23, 2012 in the U.S. Bankruptcy Court, District of Nevada, and from which they
8 received a discharge on June 26, 2012, and which case was closed on June 29, 2012.

9 Defendants Hawkins further stipulate and agree that they will not contest the validity of
10 the foreclosure deed recorded in the Official Records of the Clark County Recorder as
11 Instrument Number 201303060001648, or any subsequent transactions, including SFR
12 Investments Pool 1, LLC's ("SFR") ownership interest in the Property.

13 Based on these representations, SFR and Defendants Hawkins stipulate and agree that
14 Hawkins shall be dismissed from this action, without prejudice, each party to bear its own fees
15 and costs.

16 DATED this 8 day of April, 2014.

17 HOWARD KIM & ASSOCIATES

18 
Diana S. Cline, Esq.

19 Nevada Bar No. 10580

20 1055 Whitney Ranch Drive, Suite 110

Henderson, Nevada 89014

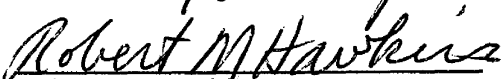
21 Phone: (702) 485-3300

22 Fax: (702) 485-3301

Attorneys for SFR Investments Pool 1, LLC

23 ///

DATED this 18 day of April, 2014.



Robert M. Hawkins

4138 Ridgewood Avenue

Las Vegas, Nevada 89120

Phone: (702) 524-5821

Email: bobbhawkins265@embarqmail.com



Christine V. Hawkins

4138 Ridgewood Avenue

Las Vegas, Nevada 89120

HOWARD KIM & ASSOCIATES

1055 WHITNEY RANCH DRIVE, SUITE 110
HENDERSON, NEVADA 89014
(702) 485-3300 FAX (702) 485-3301

1 DATED this _____ day of _____, 2014.

2 TIFFANY & BOSCO P.A.

3 _____
4 Gregory L. Wilde, Esq.
5 Nevada Bar No. 4417
6 212 South Jones Blvd.
7 Las Vegas, Nevada 89107
8 Phone: (702) 258-8200
9 Fax: (702) 258-8787
10 Attorneys for Plaintiff

ORDER

11 IT IS SO ORDERED, that Robert Hawkins and Christine Hawkins are
12 dismissed from case number A692304

13 Dated this _____ day of _____, 2014.

14 Patch: 4-21-14

15 _____
16 DISTRICT COURT JUDGE

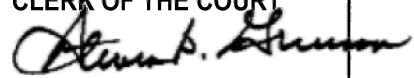
17 Respectfully Submitted by:

18 **HOWARD KIM & ASSOCIATES**

19 _____
20 HOWARD C. KIM, ESQ.
21 Nevada Bar No. 10386
22 DIANA S. CLINE, ESQ.
23 Nevada Bar No. 10580
24 JACQUELINE A. GILBERT, ESQ.
25 Nevada Bar No. 10593
26 1055 Whitney Ranch Drive, Suite 110
27 Henderson, Nevada 89014
28 Phone: (702) 485-3300
Fax: (702) 485-3301
Attorneys for SFR Investments Pool 1, LLC

EXHIBIT 6

EXHIBIT 6



1 **SAO**
Abran E. Vigil
2 Nevada Bar No. 7548
Holly Ann Priest
3 Nevada Bar No. 13226
BALLARD SPAHR LLP
4 1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135
5 Telephone: (702) 471-7000
Facsimile: (702) 471-7070
6 vigila@ballardspahr.com
priesth@ballardspahr.com

7
8 *Attorneys for Plaintiff/Counter-*
Defendant JPMorgan Chase Bank,
9 *N.A.*

10 **DISTRICT COURT**
11 **CLARK COUNTY, NEVADA**

12 JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association,

CASE NO. A-13-692304-C

13 Plaintiff,

DEPT. NO. XXIV

14 vs.

15 SFR INVESTMENTS POOL 1, LLC, a
Nevada Limited Liability company; DOES
16 1 through 10; and ROE BUSINESS
ENTITIES 1 through 10, inclusive;

17 Defendants.

18
19 SFR INVESTMENTS POOL 1, LLC a
Nevada limited liability company,

20 Counter-Claimant,

21 vs.

22
23 JPMORGAN CHASE BANK N.A.,
NATIONAL ASSOCIATION, a national
association; ROBERT M. HAWKINS, an
24 individual; CHRISTINE V. HAWKINS, an
individual; DOES 1 10; and ROE
25 BUSINESS ENTITIES 1 through 10,
inclusive;

26 Counter-Defendants.
27
28

BALLARD SPAHR LLP
1980 FESTIVAL PLAZA DRIVE, SUITE 900
LAS VEGAS, NEVADA 89135
(702) 471-7000 FAX (702) 471-7070

**STIPULATION AND ORDER DISMISSING THIRD CAUSE OF ACTION (UNJUST
ENRICHMENT) WITH PREJUDICE**

Plaintiff/Counter-Defendant JPMorgan Chase Bank, N.A. ("Chase") and Defendant/Counter-Claimant SFR Investments Pool 1, LLC ("SFR" and together with Chase, the "Parties") stipulate and agree to dismiss the third cause of action of Chase's Amended Complaint – unjust enrichment – with prejudice.

This dismissal does not impact Chase's other causes of action, declaratory relief and quiet title, all of which were resolved via the Court's summary judgment order dated August 15, 2018, leaving no open parties or claims unresolved at the District Court level.

It is further stipulated and agreed that the Court may enter an order dismissing such cause of action with prejudice, with each party to bear its own costs.

Dated: February 11, 2019

Dated: February 11, 2019

BALLARD SPAHR LLP

KIM GILBERT EBRON

By: 

By: 

Abran E. Vigil, Esq.
Nevada Bar No. 7548
Holly Ann Priest, Esq.
Nevada Bar No. 13226
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

Diana S. Ebron, Esq.
Nevada Bar No. 10580
Jacqueline A. Gilbert, Esq.
Nevada Bar No. 10593
Karen L. Hanks, Esq.
Nevada Bar No. 9578
7625 Dean Martin Drive, Suite 110
Las Vegas, Nevada 89139

*Attorneys for Plaintiff/Counter-
Defendant JPMorgan Chase Bank, N.A.*

*Attorneys for Defendant/Counter-
Claimant SFR Investments Pool 1, LLC*

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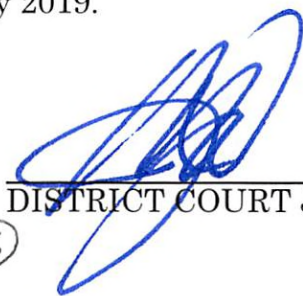
BALLARD SPAHR LLP
1980 FESTIVAL PLAZA DRIVE, SUITE 900
LAS VEGAS, NEVADA 89135
(702) 471-7000 FAX (702) 471-7070

ORDER

Based on the foregoing stipulation, the Court hereby order that Plaintiff/Counter-Defendant JPMorgan Chase Bank, N.A.'s third cause of action – unjust enrichment – be dismissed with prejudice and without costs to any party.

It is further ordered that this dismissal order is supplementary to the Court's Findings of Fact and Conclusions of Law dated August 15, 2018 and the Courts order dated February 6, 2019, such that there remain no unresolved claims by any party before this Court.

DATED: this 12 day of February 2019.



DISTRICT COURT JUDGE

(NLS)

Submitted by:

BALLARD SPAHR LLP

By:

Abran E. Vigil, Esq.
Nevada Bar No. 7548
Holly Ann Priest, Esq.
Nevada Bar No. 13226
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

Attorneys for Plaintiff/Counter-Defendant JPMorgan Chase Bank, N.A.

EXHIBIT 7

EXHIBIT 7



1 **NTSO**
Abran E. Vigil
2 Nevada Bar No. 7548
Holly Ann Priest
3 Nevada Bar No. 13226
BALLARD SPAHR LLP
4 1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135
5 Telephone: (702) 471-7000
Facsimile: (702) 471-7070
6 vigila@ballardspahr.com
priesth@ballardspahr.com
7

8 *Attorneys for Plaintiff/Counter-*
9 *Defendant JPMorgan Chase Bank,*
10 *N.A.*

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 JPMORGAN CHASE BANK, NATIONAL
14 ASSOCIATION, a national association,

15 Plaintiff,

16 vs.

17 SFR INVESTMENTS POOL 1, LLC, a
18 Nevada Limited Liability company; DOES
19 1 through 10; and ROE BUSINESS
20 ENTITIES 1 through 10, inclusive;
21 Defendants.

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

24 Counter-Claimant,

25 vs.

26 JPMORGAN CHASE BANK N.A.,
27 NATIONAL ASSOCIATION, a national
28 association; ROBERT M. HAWKINS, an
individual; CHRISTINE V. HAWKINS, an
individual; DOES 1 10; and ROE
BUSINESS ENTITIES 1 through 10,
inclusive;

Counter-Defendants.

CASE NO. A-13-692304-C

DEPT. NO. XXIV

**NOTICE OF ENTRY OF STIPULATION AND ORDER DISMISSING THIRD
CAUSE OF ACTION (UNJUST ENRICHMENT) WITH PREJUDICE**

Please take notice that on the 12th day of February 2019, the Clerk of the Court entered the Stipulation and Order Dismissing Third Cause of Action (Unjust Enrichment) with Prejudice in the above mentioned case.

A copy of the Stipulation and Order is attached hereto.

Dated: February 13, 2019.

BALLARD SPAHR LLP

By: /s/ Holly Ann Priest
Abran E. Vigil, Esq.
Nevada Bar No. 7548
Holly Ann Priest, Esq.
Nevada Bar No. 13226
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

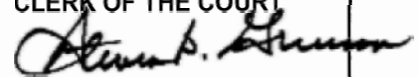
*Attorneys for Plaintiff/Counter-Defendant
JPMorgan Chase Bank, N.A.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 13th day of February, 2019, and pursuant to N.R.C.P. 5(b), a true and correct copy of the foregoing **NOTICE OF ENTRY OF STIPULATION AND ORDER DISMISSING THIRD CAUSE OF ACTION (UNJUST ENRICHMENT) WITH PREJUDICE**, was served via the Court's Odyssey E-File and Serve electronic system on the following parties:

Diana S. Ebron, Esq.
Jacqueline A. Gilbert, Esq.
Karen L. Hanks, Esq.
KIM GILBERT EBRON
7625 Dean Martin Drive, Suite 110
Las Vegas, Nevada 89139-5974
Attorneys for Plaintiff

/s/ C. Wells
An employee of BALLARD SPAHR LLP



1 **SAO**
Abran E. Vigil
2 Nevada Bar No. 7548
Holly Ann Priest
3 Nevada Bar No. 13226
BALLARD SPAHR LLP
4 1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135
5 Telephone: (702) 471-7000
Facsimile: (702) 471-7070
6 vigila@ballardspahr.com
priesth@ballardspahr.com

7
8 *Attorneys for Plaintiff/Counter-*
Defendant JPMorgan Chase Bank,
9 *N.A.*

10 **DISTRICT COURT**
11 **CLARK COUNTY, NEVADA**

12 JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association,

CASE NO. A-13-692304-C

13 Plaintiff,

DEPT. NO. XXIV

14 vs.

15 SFR INVESTMENTS POOL 1, LLC, a
Nevada Limited Liability company; DOES
16 1 through 10; and ROE BUSINESS
ENTITIES 1 through 10, inclusive;

17 Defendants.

18
19 SFR INVESTMENTS POOL 1, LLC a
Nevada limited liability company,

20 Counter-Claimant,

21 vs.

22
23 JPMORGAN CHASE BANK N.A.,
NATIONAL ASSOCIATION, a national
association; ROBERT M. HAWKINS, an
24 individual; CHRISTINE V. HAWKINS, an
individual; DOES 1 10; and ROE
25 BUSINESS ENTITIES 1 through 10,
inclusive;

26 Counter-Defendants.
27
28

BALLARD SPAHR LLP
1980 FESTIVAL PLAZA DRIVE, SUITE 900
LAS VEGAS, NEVADA 89135
(702) 471-7000 FAX (702) 471-7070

**STIPULATION AND ORDER DISMISSING THIRD CAUSE OF ACTION (UNJUST
ENRICHMENT) WITH PREJUDICE**

Plaintiff/Counter-Defendant JPMorgan Chase Bank, N.A. ("Chase") and Defendant/Counter-Claimant SFR Investments Pool 1, LLC ("SFR" and together with Chase, the "Parties") stipulate and agree to dismiss the third cause of action of Chase's Amended Complaint – unjust enrichment – with prejudice.

This dismissal does not impact Chase's other causes of action, declaratory relief and quiet title, all of which were resolved via the Court's summary judgment order dated August 15, 2018, leaving no open parties or claims unresolved at the District Court level.

It is further stipulated and agreed that the Court may enter an order dismissing such cause of action with prejudice, with each party to bear its own costs.

Dated: February 11, 2019

Dated: February 11, 2019

BALLARD SPAHR LLP

KIM GILBERT EBRON

By: 

By: 

Abran E. Vigil, Esq.
Nevada Bar No. 7548
Holly Ann Priest, Esq.
Nevada Bar No. 13226
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

Diana S. Ebron, Esq.
Nevada Bar No. 10580
Jacqueline A. Gilbert, Esq.
Nevada Bar No. 10593
Karen L. Hanks, Esq.
Nevada Bar No. 9578
7625 Dean Martin Drive, Suite 110
Las Vegas, Nevada 89139

*Attorneys for Plaintiff/Counter-
Defendant JPMorgan Chase Bank, N.A.*

*Attorneys for Defendant/Counter-
Claimant SFR Investments Pool 1, LLC*

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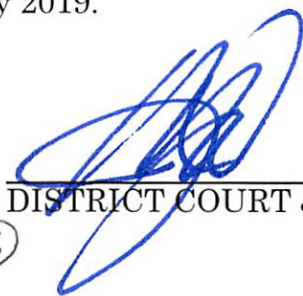
BALLARD SPAHR LLP
1980 FESTIVAL PLAZA DRIVE, SUITE 900
LAS VEGAS, NEVADA 89135
(702) 471-7000 FAX (702) 471-7070

ORDER

Based on the foregoing stipulation, the Court hereby order that Plaintiff/Counter-Defendant JPMorgan Chase Bank, N.A.'s third cause of action – unjust enrichment – be dismissed with prejudice and without costs to any party.

It is further ordered that this dismissal order is supplementary to the Court's Findings of Fact and Conclusions of Law dated August 15, 2018 and the Courts order dated February 6, 2019, such that there remain no unresolved claims by any party before this Court.

DATED: this 12 day of February 2019.



DISTRICT COURT JUDGE

(NLS)

Submitted by:

BALLARD SPAHR LLP

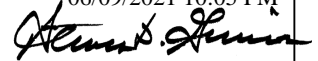
By:

Abran E. Vigil, Esq.
Nevada Bar No. 7548
Holly Ann Priest, Esq.
Nevada Bar No. 13226
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

Attorneys for Plaintiff/Counter-Defendant JPMorgan Chase Bank, N.A.

EXHIBIT 8

EXHIBIT 8



CLERK OF THE COURT

1 **JUDG**

2 Abran E. Vigil
3 Nevada Bar No. 7548
4 Matthew D. Lamb
5 Nevada Bar No. 12991
6 BALLARD SPAHR LLP
7 1980 Festival Plaza Drive, Suite 900
8 Las Vegas, Nevada 89135
9 Telephone: (702) 471-7000
10 Facsimile: (702) 471-7070
11 vigila@ballardspahr.com
12 lambm@ballardspahr.com

13 *Attorneys for Plaintiff/Counter-*
14 *Defendant JPMorgan Chase Bank,*
15 *N.A.*

16 **DISTRICT COURT**

17 **CLARK COUNTY, NEVADA**

18 JPMORGAN CHASE BANK, NATIONAL
19 ASSOCIATION, a national association,

20 Plaintiff,

21 vs.

22 SFR INVESTMENTS POOL 1, LLC, a
23 Nevada Limited Liability company; DOES
24 1 through 10; and ROE BUSINESS
25 ENTITIES 1 through 10, inclusive;

26 Defendants.

CASE NO. A-13-692304-C

DEPT. NO. 8

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

Counter-Claimant,

vs.

JPMORGAN CHASE BANK N.A.,
NATIONAL ASSOCIATION, a national
association; ROBERT M. HAWKINS, an
individual; CHRISTINE V. HAWKINS, an
individual; DOES 1 10; and ROE
BUSINESS ENTITIES 1 through 10,
inclusive;

Counter-Defendants.

BALLARD SPAHR LLP
1980 FESTIVAL PLAZA DRIVE, SUITE 900
LAS VEGAS, NEVADA 89135
(702) 471-7000 FAX (702) 471-7070

**JUDGMENT IN FAVOR OF JPMORGAN
CHASE BANK, NATIONAL ASSOCIATION**

This is a quiet title action relating to A residential real property at 3263 Morning Springs Drive, Henderson, Nevada 89074, APN 177-24-514-043 (the "Property"). Plaintiff/counter-defendant JPMorgan Chase Bank, National Association ("Chase") services a note owned by the Federal Home Loan Mortgage Corporation ("Freddie Mac"). The note is secured by a Deed of Trust recorded against the Property in the Official Records of the Clark County Recorder on June 12, 2006 as Instrument 20060612-0003526 (together with the note, the "Loan"). On March 1, 2013, Nevada Association Services, Inc. conducted a foreclosure sale of the Property on behalf of the Pebble Canyon Homeowners Association (the "HOA Sale"). The highest bidder at the HOA Sale was defendant/counter-claimant SFR Investments Pool 1, LLC ("SFR"). SFR asserts that the HOA Sale extinguished the Deed of Trust while Chase asserts that the Deed of Trust survived.

On April 13, 2018, Chase and SFR both moved for summary judgment. Chase argued, among other things, that 12 U.S.C. § 4617(j)(3) preempted NRS 116.3116 and prevented the HOA Sale from extinguishing the Deed of Trust because Freddie Mac owned the Loan at the time of the sale. On May 4, 2018, SFR filed a motion to strike certain documents cited in Chase's summary judgment motion pursuant to N.R.C.P. 16.1(a)(1)(A)(ii). On June 5, 2018, the Court held a hearing on the summary judgment motions and the motion to strike. On August 15, 2018, the Court entered Findings of Fact and Conclusions of Law and Judgment in favor of SFR Investments Pool 1, LLC (the "FFCL"). In the FFCL, the Court held that Chase's quiet title claim against SFR was a tort claim within the meaning of 12 U.S.C. § 4617(b)(12)(A) and was therefore barred by the three-year limitations period of 12 U.S.C. § 4617(b)(12)(A)(ii)(I). The Court therefore granted SFR's summary judgment motion and denied Chase's summary judgment motion. The Court also granted SFR's motion to strike. The Court

1 entered a judgment quieting title in favor of SFR and holding that the Deed of Trust
2 was extinguished by the HOA Sale.

3 Chase appealed the FFCL to the Nevada Supreme Court, which reversed the
4 FFCL and remanded with instructions in an Opinion filed October 29, 2020. The
5 Supreme Court held that Chase's quiet title claim was a contract claim within the
6 meaning of 12 U.S.C. § 4617(b)(12)(A) and was therefore timely under the six-year
7 limitations period of 12 U.S.C. § 4617(b)(12)(A)(i)(I). The Supreme Court affirmed this
8 Court's decision granting SFR's motion to strike, but noted that evidence not implicated
9 by the motion to strike independently establishes that Freddie Mac owned the Loan at
10 the time of the HOA Sale. Therefore, the Supreme Court held, Chase is entitled to
11 summary judgment. The Nevada Supreme Court remanded the case with instructions
12 to enter judgment for Chase.

13 For these reasons,

14 **IT IS ORDERED, ADJUDGED, AND DECREED** that the Findings of Fact and
15 Conclusions of Law in Favor of SFR Investments Pool 1, LLC filed August 15, 2018 are
16 vacated.

17 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the March 1,
18 2013 foreclosure sale of the property located at 3263 Morning Springs Drive,
19 Henderson, Nevada 89074, APN 177-24-514-043 (the "Property"), held by Nevada
20 Association Services, Inc. on behalf of Pebble Canyon Homeowners Association, did not
21 extinguish the Deed of Trust recorded in the Official Records of the Clark County
22 Recorder on June 12, 2006 as Instrument Number 20060612-0003526 (the "Deed of
23 Trust").

24 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the Deed of
25 Trust is a valid encumbrance against the Property.

26 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that title to the
27 Property is quieted in the name of SFR Investments Pool 1, LLC, subject to the Deed
28 of Trust.

1 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the clerk shall
2 close this case, subject to any proceedings to fix costs.

Dated this 9th day of June, 2021



3 **IT IS SO ORDERED.**

4 Dated: June ____, 2021.

**B7A CF7 9EF1 7E87
Jessica K. Peterson
District Court Judge**

DISTRICT COURT JUDGE

Submitted by:	Approved as to form by:
BALLARD SPAHR LLP	KIM GILBERT EBRON
By: <u>/s/ Matthew D. Lamb</u> Abran E. Vigil Nevada Bar No. 7548 Matthew D. Lamb Nevada Bar No. 12991 1980 Festival Plaza Drive, Suite 900 Las Vegas, Nevada 89135	By: <u>/s/ Jacqueline A. Gilbert</u> Diana S. Ebron Nevada Bar No. 10580 Jacqueline A. Gilbert Nevada Bar No. 10593 7625 Dean Martin Drive, Suite 110 Las Vegas, Nevada 89139
<i>Counsel for Plaintiff/Counter-Defendant JPMorgan Chase Bank, N.A.</i>	<i>Counsel for Defendant/Counter- Claimant SFR Investments Pool 1, LLC</i>

Carlton, Mary Kay (LV)

From: Lamb, Matthew D (DC)
Sent: Wednesday, June 9, 2021 4:37 PM
To: Carlton, Mary Kay (LV)
Subject: Fwd: Re: Proposed Judgment - Chase v. SFR / No. A-13-692304-C / Hawkins / 3263 Morning Springs Drive

Matthew D. Lamb

Ballard Spahr
LLP

1909 K Street, NW, 12th Floor
Washington, DC 20006-1157
202.661.7617 DIRECT

704.747.2628 MOBILE | lambm@ballardspahr.com
VCARD

www.ballardspahr.com

----- Forwarded message -----

From: Jackie Gilbert <jackie@kgelegal.com>
Date: Jun 9, 2021 7:15 PM
Subject: Re: Proposed Judgment - Chase v. SFR / No. A-13-692304-C / Hawkins / 3263 Morning Springs Drive
To: "Lamb, Matthew D (DC)" <LambM@ballardspahr.com>
Cc: Diana Ebron <diana@kgelegal.com>, Karen Hanks <karen@kgelegal.com>, "Vigil, Abran E. (LV)" <VigilA@ballardspahr.com>

⚠ EXTERNAL

Please take Karen off the signature block and you may submit with my e-signature.
Jackie

Jacqueline A. Gilbert
Jackie@kgelegal.com
(702)400-4130

Sent from my iPhone

On Jun 9, 2021, at 5:31 PM, Lamb, Matthew D <LambM@ballardspahr.com> wrote:

Good afternoon—we are following up on this proposed judgment since the deadline to submit it to the court is tomorrow.

Thanks,

Matthew D. Lamb
Ballard Spahr
LLP

1909 K Street, NW, 12th Floor
Washington, DC 20006-1157
202.661.7617 DIRECT

704.747.2628 MOBILE | lambm@ballardspahr.com
VCARD

www.ballardspahr.com

From: Lamb, Matthew D (DC) <LambM@ballardspahr.com>
Sent: Friday, June 4, 2021 9:11 AM
To: Diana Ebron (diana@kgelegal.com) <diana@kgelegal.com>; Karen Hanks (karen@kgelegal.com) <karen@kgelegal.com>; Jackie Gilbert (jackie@kgelegal.com) <jackie@kgelegal.com>
Cc: Vigil, Abran E. (LV) <VigilA@ballardspahr.com>
Subject: Proposed Judgment - Chase v. SFR / No. A-13-692304-C / Hawkins / 3263 Morning Springs Drive

Good morning:

Please see attached for the proposed judgment requested by the court at the May 27 status hearing in this case and let us know if we may insert your e-signature.

Thanks,

Matthew D. Lamb
Ballard Spahr
LLP

1909 K Street, NW, 12th Floor
Washington, DC 20006-1157
202.661.7617 DIRECT

704.747.2628 MOBILE | lambm@ballardspahr.com
VCARD

www.ballardspahr.com

<Hawkins - Order Entering Summary Judgment for Chase DMWEST_41600184(1).DOCX>

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 JPMorgan Chase Bank National
7 Association, Plaintiff(s)

CASE NO: A-13-692304-C

8 vs.

DEPT. NO. Department 8

9 SFR Investments Pool 1 LLC,
10 Defendant(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

12
13 This automated certificate of service was generated by the Eighth Judicial District
14 Court. The foregoing Order was served via the court's electronic eFile system to all
recipients registered for e-Service on the above entitled case as listed below:

15 Service Date: 6/9/2021

16 Abran Vigil .

vigila@ballardspahr.com

17 Diana Cline Ebron .

diana@kgelegal.com

18 E-Service for Kim Gilbert Ebron .

eservice@kgelegal.com

19 Holly Priest .

priesth@ballardspahr.com

20 Jacqueline A. Gilbert .

jackie@kgelegal.com

21 Karen L. Hanks .

karen@kgelegal.com

22 Las Vegas Docketing .

lvdocket@ballardspahr.com

23 Lindsay Demaree .

demareel@ballardspahr.com

24 Mary Kay Carlton .

carltonm@ballardspahr.com

25 Matthew Lamb .

Lambm@ballardspahr.com

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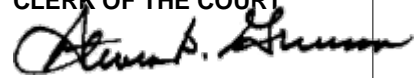
Michael L. Sturm .	mike@kgelegal.com
Russell J. Burke .	BurkeR@ballardspahr.com
Sarah Walton .	waltons@ballardspahr.com
Tomas Valerio .	staff@kgelegal.com
KGE Legal Staff	staff@kgelegal.com
KGE E-Service List	eservice@kgelegal.com
Diana Ebron	diana@kgelegal.com
Las Vegas Intake	LVCTIntake@ballardspahr.com
Joel Tasca	tasca@ballardspahr.com
Candi Fay	candifay@kgelegal.com

EXHIBIT 9

EXHIBIT 9

KIM GILBERT EBRON
7625 DEAN MARTIN DRIVE, SUITE 110
LAS VEGAS, NEVADA 89139
(702) 485-3300 FAX (702) 485-3301

Electronically Filed
7/9/2021 5:00 PM
Steven D. Grierson
CLERK OF THE COURT



NOAS

JACQUELINE A. GILBERT, ESQ.
Nevada Bar No. 10593
E-mail: jackie@kgelegal.com
DIANA S. EBRON, ESQ.
Nevada Bar No. 10580
E-mail: diana@kgelegal.com
CHANTEL M. SCHIMMING, ESQ.
Nevada Bar No. 8886
E-mail: chantel@kgelegal.com
KIM GILBERT EBRON
7625 Dean Martin Drive, Suite 110
Las Vegas, NV 89139
Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorneys for SFR Investments Pool 1, LLC

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association,

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company; DOES 1
through 10; and ROE BUSINESS ENTITIES
1 through 10, inclusive,

Defendants.

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

Counter-Claimant,

vs.

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association;
ROBERT M. HAWKINS, an individual;
CHRISTINE V. HAWKINS, an individual;
DOES 1 10 and ROE BUSINESS ENTITIES
1 through 10 inclusive,

Counter-Defendant/Cross-Defendants

Case No. A-13-692304-C

Dept. No. VIII

NOTICE OF APPEAL

PLEASE TAKE NOTICE that SFR Investments Pool 1, LLC hereby appeals from the
following orders and judgments:

1. Judgment filed June 9, 2021; and

///

KIM GILBERT EBRON
7625 DEAN MARTIN DRIVE, SUITE 110
LAS VEGAS, NEVADA 89139
(702) 485-3300 FAX (702) 485-3301

2. Any and all orders and judgments made appealable thereby.
DATED this 9th day of July, 2021.

KIM GILBERT EBRON

By: /s/ Diana S. Ebron
JACQUELINE A. GILBERT, ESQ.
Nevada Bar No. 10593
DIANA S. EBRON, ESQ.
Nevada Bar No. 10580
7625 Dean Martin Drive, Suite 110
Las Vegas, Nevada 89139-5974
Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorney for SFR Investments Pool 1, LLC

KIM GILBERT EBON
7625 DEAN MARTIN DRIVE, SUITE 110
LAS VEGAS, NEVADA 89139
(702) 485-3300 FAX (702) 485-3301

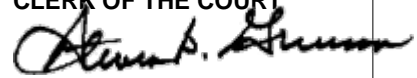
CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of July, 2021, pursuant to NRCP 5(b)(2)(E), I filed the foregoing **Notice of Appeal** via the Court's electronic Odyssey File & Serve system and cause service to be made in accordance with the Service Contacts set forth therein.

/s/ Alexander Loglia
an employee of Kim Gilbert Ebron

EXHIBIT 10

EXHIBIT 10



ASTA

JACQUELINE A. GILBERT, ESQ.
Nevada Bar No. 10593
E-mail: jackie@kgelegal.com
DIANA S. EBRON, ESQ.
Nevada Bar No. 10580
E-mail: diana@kgelegal.com
CHANTEL M. SCHIMMING, ESQ.
Nevada Bar No. 8886
E-mail: chantel@kgelegal.com
KIM GILBERT EBRON
7625 Dean Martin Drive, Suite 110
Las Vegas, NV 89139
Telephone: (702) 485-3300
Facsimile: (702) 485-3301
Attorneys for SFR Investments Pool 1, LLC

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association,

Case No. A-13-692304-C

Plaintiff,

Dept. No. VIII

vs.

Case Appeal Statement

SFR INVESTMENTS POOL 1, LLC, a
Nevada limited liability company; DOES 1
through 10; and ROE BUSINESS ENTITIES
1 through 10, inclusive,

Defendants.

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

Counter-Claimant,

vs.

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, a national association;
ROBERT M. HAWKINS, an individual;
CHRISTINE V. HAWKINS, an individual;
DOES 1 10 and ROE BUSINESS ENTITIES
1 through 10 inclusive,

Counter-Defendant/Cross-Defendants

1. Name of appellant filing this case appeal statement:

SFR Investments Pool 1, LLC.

2. Identify the judge issuing the decision, judgment, or order appealed from:

The Honorable Jessica K. Peterson

3. Identify each appellant and the name and address of counsel for each appellant:

Appellant: SFR Investments Pool 1, LLC (SFR)

Counsel: Jacqueline A. Gilbert, Esq.
Diana Cline Ebron, Esq.
KIM GILBERT EBRON
7625 Dean Martin Drive, Suite 110
Las Vegas, Nevada 89139

4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel):

Respondent: JPMorgan Chase Bank, N.A.

Trial Counsel: Matthew D. Lamb, Esq.
BALLARD SPAHR LLP
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada, 89135

5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):

N/A

6. Indicate whether appellant was represented by appointed or retained counsel in the district court:

Retained

7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

Retained

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:

N/A

9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):

November 27, 2013

10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:

The case started in 2013 as one for declaratory relief by Chase following an Association non-judicial foreclosure sale at which SFR was the highest bidder and obtained title to the subject property. SFR Counterclaimed for quiet title to remove the deed of trust from the chain of title. It was not until three years later that Chase raised the issue of Freddie Mac's interest and raised §4617(j)(3) as preempting Nevada law. Originally, the district court entered summary judgment in favor of SFR because Chase's HERA claim was time-barred by the 3-year statute of limitations. On appeal, this Court reversed, holding a 6-year SOL applied to the claim, and remanded with instructions to enter judgment in favor of Chase. The district court's judgment was filed on June 9, 2021.

Since the entry of that judgment, the United States Supreme Court issued its opinion in *Collins v. Yellin*, 19-422 (June 23, 2021). The Court held that FHFA's structure as set forth in HERA violates the separation of powers and is, therefore, unconstitutional. Based on that, the Court remanded to determine what remedy is was appropriate due to the unconstitutional issue. Decisions were made by the FHFA Director while serving under an unconstitutional statute, that harmed SFR. SFR is entitled to have that harm and rights determined because the very fact upon which Chase was able to prevail previously, was the decision at issue – consent.

11. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding:

JPMorgan Chase Bank, N.A. v. SFR Investments Pool 1, LLC 77010

12. Indicate whether this appeal involves child custody or visitation:

N/A.

///

///

SFR has always been open to settlement possibilities but has found that where litigation is ultimately being directed by FHFA’s counsel, albeit in the background rather than a party and often appearing as “amicus” in such cases, no settlement has been possible. However, SFR is still willing to discuss and attempt to reach a reasonable settlement.

KIM GILBERT EBRON

- 4 -

KIM GILBERT EBON
7625 DEAN MARTIN DRIVE, SUITE 110
LAS VEGAS, NEVADA 89139
(702) 485-3300 FAX (702) 485-3301

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of July, 2021, pursuant to NRCP 5(b)(2)(E), I filed the foregoing **Case Appeal Statement** via the Court's electronic Odyssey File & Serve system and cause service to be made in accordance with the Service Contacts set forth therein.

/s/ Alexander Loglia
an employee of Kim Gilbert Ebron