

IN THE SUPREME COURT OF THE STATE OF NEVADA

TYRONE KEITH ARMSTRONG,

Appellant,

vs.

U.S. BANK NATIONAL ASSOCIATION,
as Trustee for Structured Asset Securities
Corporation Mortgage Pass-Through
Certificates, Series 2007-BC3; OCWEN
LOAN SERVICING, LLC; PHH
MORTGAGE CORPORATION;
WESTERN PROGRESSIVE-NEVADA,
INC.;

Respondents.

Supreme Court Case No.:

83545

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Elizabeth A. Brown

[District Court Case No. A-19-796941-C]
Clerk of Supreme Court

**JOINDER TO ANSWERING BRIEF
OF RESPONDENT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE
FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE
PASS-THROUGH CERTIFICATES, SERIES 2007-BC3**

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PHH MORTGAGE CORPORATION;

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successor to OCWEN LOAN

*SERVICING, LLC, erroneously
named; and Defendant WESTERN
PROGRESSIVE-NEVADA, INC*

NRAP 26.1 DISCLOSURE

Pursuant to NRAP 26.1, the undersigned counsel of record certifies that the following are persons and entities as described in NRAP 26.1(a) and must be disclosed. These representations are made in order that the judges of this Court may evaluate possible disqualification or recusal.

Respondent PHH Mortgage Corporation is a successor to Ocwen Loan Servicing, LLC and a wholly-owned subsidiary of Ocwen Financial Corporation, a publicly traded corporation. No publicly held company owns 10% or more of Ocwen Financial Corporation. Ocwen Loan Servicing, LLC ceased doing business and is no longer a going concern as of approximately June 1, 2019.

The Defendant WESTERN PROGRESSIVE – NEVADA, INC. filed declarations of non-monetary status in the underlying action pursuant to NRS 107.029 with no objection (items 1 and 2 above). Accordingly, said Defendant did not otherwise participate in the underlying action and is not subject to the instant appeal as an individual Respondent.

The above-referenced Respondents have been represented throughout this action by Jeffrey S. Allison, Esquire of Houser LLP

PHH MORTGAGE CORPORATION; PHH MORTGAGE CORPORATION, successor to OCWEN LOAN SERVICING, LLC, erroneously named (“Respondents”) join in and adopt by reference the Answering Brief filed by Respondent U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3.

Respondents further adopt by reference its filings in the underlying action as appended to the Joint Appendix as follows:

1. DECLARATION OF NON-MONETARY STATUS OF DEFENDANT WESTERN PROGRESSIVE-NEVADA, INC. [NRS 107.029] – filed 7/31/19 (Vol 1; R000071-73)
2. NOTICE OF DECLARATION OF NON-MONETARY STATUS OF DEFENDANT WESTERN PROGRESSIVE-NEVADA, INC. RE FIRST AMENDED COMPLAINT [NRS 107.029] – filed 3/15/21 (Vol 2; R000225-227)
3. OPPOSITION TO PLAINTIFF’S MOTION AND AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT; COUNTER-MOTION FOR SUMMARY JUDGMENT – filed 4/14/21 (Vol 4; R000715-936)
4. JOINDER TO DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATED, SERIES 2007-BC3'S OPPOSITION TO PLAINTIFF'S AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT; AND COUNTERMOTION FOR SUMMARY JUDGMENT – filed 4/19/21 (Vol 6; R001311-1313)
5. JOINDER TO DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S REPLY TO PLAINTIFF'S OPPOSITION TO ITS COUNTERMOTION FOR SUMMARY JUDGMENT; AND REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT PHH'S

COUNTERMOTION FOR SUMMARY JUDGMENT – filed 5/19/21 (Vol 6; R001373-1377)

6. SUPPLEMENTAL BRIEF REGARDING STATUTES OF LIMITATIONS BARRING PLAINTIFF'S FIRST AMENDED COMPLAINT; JOINDER TO SUPPLEMENTAL POINTS AND AUTHORITIES TO COUNTERMOTION FOR SUMMARY JUDGMENT BY DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S – filed 6/16/21 (Vol 6, 7; R001457-1685)
7. REPLY RE SUPPLEMENTAL BRIEF REGARDING THE STATUTES OF LIMITATIONS BARRING PLAINTIFF'S FIRST AMENDED COMPLAINT; AND JOINDER TO DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S REPLY IN SUPPORT OF ITS SUPPLEMENTAL POINTS AND AUTHORITIES TO COUNTERMOTIONS FOR SUMMARY JUDGMENT – filed 7/13/21 (Vol 7; R001694-1701)

Dated this 28th day of March, 2022. **HOUSER LLP**

/s/ Jeffrey S. Allison

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PROGRESSIVE-NEVADA, INC.

CERTIFICATE OF COMPLIANCE

1. I hereby certify that this joinder complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because:

it has been prepared in a proportionally spaced typeface using Microsoft Word 365, Times New Roman 14 pt. font.

2. I further certify that this joinder complies with any page or type volume limitations of NRAP 32(a)(7) because, excluding any parts exempted by NRAP 32(a)(7)(C), it is proportionately spaced, has a typeface of 14 points or more and contains 1030 words.

3. Finally, I hereby certify that I have read this joinder, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for an improper purpose. I further certify that this complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(3)(i). I understand that I may be subject to sanctions in the event that the joinder is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

Dated this 28th day of March, 2022. **HOUSER LLP**

/s/ Jeffrey S. Allison

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PROGRESSIVE-NEVADA, INC.


CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below, I served a copy of the foregoing **JOINDER TO ANSWERING BRIEF OF RESPONDENT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3** upon the parties to the appeal via electronic transmission through the Court's efilng and serve system and by U.S. Mail, First Class, postage prepaid, addressed as follows:

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DATED this 28th day of March, 2022.



Jasmine Blanco
An employee of Houser LLP