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Elizabeth A. Brown  
Clerk of Supreme Court

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

\* \* \*

DENNIS K. BAHAM, an individual,

Plaintiff,

vs.

BAYVIEW LOAN SERVICING, LLC, a  
Foreign Limited Liability Company; FIRST  
AMERICAN TRUSTEE SERVICING  
SOLUTIONS, L.L.C., a Foreign Limited  
Liability Company; and BANK OF NEW  
YORK MELLON f/k/a THE BANK OF NEW  
YORK AS TRUSTEE FOR THE  
CERTIFICATE HOLDERS OF CWALT,  
INC., ALTERNATIVE LOAN TRUST 2005-  
2, MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2005-2,

SUPREME COURT NO. 82621

DISTRICT COURT NO. A-20-810458-C

**REQUEST TO BE REMOVED FROM SERVICE LIST**

The undersigned hereby request to be removed from the filing and service list in this appeal as Maurice Wood's client in the district court action was not required to participate as a party participation pursuant to NRS 107.029(5).

On June 19, 2020, First American Trustee Servicing Solutions, LLC ("FATSS") filed a Declaration of Nonmonetary Status pursuant to NRS 107.029. In accordance with NRS 107.029, the Declaration asserted that FATSS claims no interest in the Property. No party filed an Objection to the Declaration.

NRS 107.029 provides:

NRS 107.029 Trustees: Declaration of nonmonetary status;  
objection to declaration.

1. If the trustee under a deed of trust is named in an action in which the deed of trust is the subject and the trustee has a reasonable belief that he or she has been named in the action solely in his or her capacity as trustee and not as a result of any wrongful act or omission made in the performance of his or her duties as trustee, the trustee may, at any time, file a declaration of nonmonetary status. The declaration must be served on the parties in the manner prescribed by Rule 5 of the Nevada Rules of Civil Procedure and must include:

(a) The status of the trustee as trustee under the deed of trust; and

(b) The basis for the trustee's reasonable belief that he or she has been named as a defendant in the action solely in his or her capacity as trustee and not as a result of any wrongful act or omission made in the performance of his or her duties as trustee.

2. Upon the filing of a declaration of nonmonetary status pursuant to subsection 1, the time in which the trustee is required to file an answer or any other responsive pleading is tolled until notice is given of an order granting an objection to the declaration of nonmonetary status, from which date the trustee has 30 days to file an answer or any other responsive pleading to the complaint.

3. Any party that has appeared in an action described in subsection 1 has 15 days after the date of service of the declaration of nonmonetary status to file an objection. Any objection filed pursuant to this subsection must set forth the factual basis on which the objection is based and must be served on the trustee.

4. If a timely objection is made pursuant to subsection 3, the court shall promptly examine the declaration of nonmonetary status and the objection and shall issue an order as to the validity of the objection. If the court determines the objection is valid, the trustee is required to participate in the action.

5. **If no objection is raised within the 15-day period pursuant to subsection 3 or if the court determines the objection is invalid, the trustee is not required to participate any further in the action and is not subject to any money damages or attorney's fees or costs, except that the trustee is required to respond to any discovery request as a nonparty participant and is bound by any court order relating to the deed of trust.**

6. If, at any time during the proceedings under this section, the parties to the action acquire newly discovered evidence indicating the trustee should be made a participant in the action as a result of the trustee's performance of his or her duties as trustee, the parties may file a motion to amend the pleadings pursuant to Rule 15 of the Nevada Rules of Civil Procedure.

7. For the purposes of this section, “trustee” includes any agent or employee of the trustee who performs some or all the duties of a trustee under this chapter and includes substitute trustees and agents of the beneficiary or trustee.

NRS 107.029 (emphasis added).

Because no party filed an Objection to the Declaration, FATSS was not required to participate in the action. FATSS’ counsel removed its firm from the district court service list at that time and closed its file.

Pursuant to NRS 107.029(5), FATSS is not required to participate any further in the action, including this appeal which does not involve FATSS.

As such, counsel for FATSS request this Court to remove the names of FATSS’ counsel from the service list in the appeal. FATSS requests that documents no longer to be served by electronic means to the following persons at the following e-mail addresses:

1. Aaron R. Maurice: amaurice@mauricewood.com
2. Brittany Wood: bwood@mauricewood.com
3. Elizabeth Aronson: earonson@mauricewood.com

DATED this 15<sup>th</sup> day of March, 2021.

MAURICE WOOD

/s/ Aaron R. Maurice  
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**CERTIFICATE OF SERVICE**

Pursuant to NRAP 25(c)(1)(B), I hereby certify that I am an employee of Maurice Wood, and that on the 15<sup>th</sup> day of March, 2021, I submitted the foregoing **REQUEST TO BE REMOVED FROM SERVICE LIST** to the Supreme Court of Nevada's electronic docket for filing and service upon the following:

/s/Brittany Wood

An Employee of MAURICE WOOD