

Electronically Filed
Mar 21 2022 08:51 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

1 **NOAS**
2 JOHN HENRY WRIGHT, ESQ.
3 Nevada Bar No. 6182
4 **THE WRIGHT LAW GROUP, P.C.**
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6 Las Vegas, Nevada 89102
7 Telephone: (702) 405-0001
8 Facsimile: (702) 405-8454
9 Email: john@wrightlawgroupnv.com

10 *Attorney for Plaintiff*
11 *TRP FUND VI, LLC*

12 **DISTRICT COURT**
13 **CLARK COUNTY, NEVADA**

14 TRP FUND VI, LLC, a Delaware Limited
15 Liability Company,

16 Plaintiff,

17 vs.

18 QUALITY LOAN SERVICE
19 CORPORATION, a foreign corporation;
20 PHH MORTGAGE CORPORATION, a
21 foreign corporation FEDERAL NATIONAL
22 MORTGAGE ASSOCIATION, a National
23 Banking Entity; DOES I through X,
24 inclusive; and ROE ENTITIES XI through
25 XX,

26 Defendants.

CASE NO. A-22-848493-C

DEPT. NO. XXII

NOTICE OF APPEAL

27 Notice is hereby given that Plaintiff, TRP FUND VI, LLC, hereby appeals to the Supreme
28 Court of Nevada from the District Court's Order Denying Motion for Preliminary Injunction and
Dissolving Temporary Restraining Order entered in this action on March 10, 2022, and all other
matters arising in this case. A copy of said Order is attached hereto as **Exhibit 1**.

Dated this 15th day of March, 2022.

Respectfully submitted by:
THE WRIGHT LAW GROUP, P.C.

/s/ John H. Wright, Esq.
JOHN HENRY WRIGHT, ESQ.
Nevada Bar No. 6182

Attorneys for Plaintiff
TRP FUND VI, LLC



EXHIBIT 1



CERTIFICATE SERVICE

I hereby certify that the foregoing PLAINTIFF'S NOTICE OF APPEAL was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 15th day of March, 2022. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

McCARTHY & HOLTHUS, LLP

Kristin A. Schuler-Hintz, Esq. Khintz@mccarthyholthus.com
Matthew P. Pawlowski Esq. DCNV@mccarthyholthus.com

Attorneys for Quality Loan Service Corporation

WRIGHT, FINLAY & ZAK, LLP

Christina V. Miller, Esq. cmillerAwrightlegal.net
Hugo E. Hernandez-Diaz, Esq. hhdiaz@wrightlegal.net

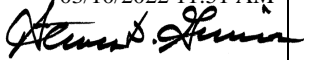
Attorneys for defendants PHH Mortgage Corporation and Federal National Mortgage Association

I further certify that I served a copy of this document by mailing a true and correct copy, thereof, postage prepaid, addressed to:

None.

/s/ Candi Ashdown
An employee of **THE WRIGHT LAW GROUP, P.C.**

¹ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).


CLERK OF THE COURT

ODM

ORDER

1 WRIGHT, FINLAY & ZAK, LLP
2 Christina V. Miller, Esq.
3 Nevada Bar No. 12448
4 Hugo E. Hernandez-Diaz, Esq.
5 Nevada Bar No. 15565
6 7785 W. Sahara Ave, Suite 200
7 Las Vegas, NV 89117
8 (702) 475-7964; Fax: (702) 946-1345
9 cmiller@wrightlegal.net
10 hhdiaz@wrightlegal.net

Attorneys for Defendants, PHH Mortgage Corporation and Federal National Mortgage Association

**DISTRICT COURT
CLARK COUNTY, NEVADA**

11 TRP FUND VI, LLC, a Delaware Limited
12 Liability Company,

13 Plaintiff,
14 vs.

15 QUALITY LOAN SERVICE
16 CORPORATION, a foreign corporation; PHH
17 MORTGAGE CORPORATION, a foreign
18 corporation; FEDERAL NATIONAL
19 MORTGAGE ASSOCIATION, a National
20 Banking Entity; DOES I through X, inclusive
21 and ROE ENTITIES XI through XX,

22 Defendants.

Case No.: A-22-848493-C
Dept. No.: 22

**ORDER DENYING MOTION FOR
PRELIMINARY INJUNCTION AND
DISSOLVING TEMPORARY
RESTRAINING ORDER**

23 This Court previously entered a Temporary Restraining Order on February 17, 2022,
24 pending hearing on Plaintiff TRP Fund VI, LLC's ("Plaintiff") Motion for Preliminary
25 Injunction ("Motion"). Defendants PHH Mortgage Corporation and Federal National Mortgage
26 Association (collectively "Defendants") filed an Opposition to the Motion and Plaintiff filed a
27 Reply in support. A hearing was held on March 1, 2022, attended by John Wright, Esq., counsel
28 of record for Plaintiff, and Christina V. Miller, Esq., counsel of record for Defendants. Having
considered the parties' written briefs and oral argument presented at the hearing, the Court enters
the following decision:

///

1 Plaintiff seeks a preliminary injunction in order to enjoin foreclosure under the first
2 position Deed of Trust, recorded against the Property on June 30, 2008. Plaintiff argues that it
3 will suffer irreparable harm if the foreclosure sale proceeds and that Plaintiff has a likelihood of
4 success on the merits of its claims to justify entry of an injunction. Specifically, Plaintiff's
5 Complaint seeks quiet title, declaratory relief, and cancellation of the Deed of Trust because the
6 loan secured by the Deed of Trust was allegedly accelerated more than 10 years prior when the
7 original borrowers obtained a discharge of their personal repayment obligation in bankruptcy such
8 that the Deed of Trust is now allegedly extinguished by operation of NRS 106.240.

9 A preliminary injunction is available where the movant shows it enjoys a reasonable
10 probability of success on the merits, and the defendant's conduct, if allowed to continue, will
11 result in irreparable harm for which compensatory damage is an inadequate remedy. *Dangberg*
12 *Holdings Nev., LLC v. Douglas County*, 115 Nev. 129, 978 P.2d 311 (1999); *S.O.C., Inc. v. Mirage*
13 *Casino-Hotel*, 117 Nev. 403, 23 P.3d 243 (2001). The balance of hardships between the parties
14 should also be considered. *Ottenheimer v. Real Estate Division*, 91 Nev. 338, 535 P.3d 1284
15 (1975).

16 This Court finds that Plaintiff has not shown that it has a reasonable probability of success
17 on the merits of its claims.

18 First, the bankruptcy discharge did not make the loan "wholly due." A bankruptcy
19 discharge *excuses* the borrower from its obligation to make further payments and *precludes* the
20 lender from enforcing the borrower's personal credit obligation; it does not render the loan
21 "wholly due." *See* 11 U.S.C. § 524. Deeds of trust embody a security interest in the corresponding
22 real property, and unlike the personal debt obligations they secure, deeds of trust remain
23 enforceable after a bankruptcy discharge. As the Bankruptcy Court has explained, a "Chapter 7
24 discharge relieve[s] the Debtor of his personal liability for his prebankruptcy debts, but [does] not
25 affect the [corresponding] liens." *In re Mirchou*, 588 B.R. 555, 571 (D. Nev. Bankr. 2018).

26 Second, even if NRS 106.240 was triggered by the borrowers' bankruptcy discharge, NRS
27 106.240 is a conclusive presumption, by its express terms, and is not a statute of repose. As such,
28 this Court may take equitable considerations into account to determine whether the 10-year period

1 set forth in NRS 106.240 was tolled by the Prior Quiet Title Action (as defined in Defendants'
2 Opposition) and independently by the U.S. Department of Housing and Urban Development
3 COVID-19 foreclosure moratorium.

4 Accordingly,

5 IT IS HEREBY ORDERED that Plaintiff's Motion for Preliminary Injunction is
6 DENIED.

7 IT IS FURTHER ORDERED that the Temporary Restraining Order, entered on February
8 17, 2022, is dissolved and of no further force and effect.

9 IT IS SO ORDERED.

10 ~~DATED~~ _____.

Dated this 10th day of March, 2022



11
12
13 DISTRICT COURT JUDGE
14 199 869 1823 9CFC
15 Susan Johnson
16 District Court Judge

16 Respectfully submitted by:
17 WRIGHT, FINLAY & ZAK, LLP

Approved as to form and content:
THE WRIGHT LAW GROUP, P.C.

18
19 /s/ Christina V. Miller
20 Christina V. Miller, Esq.
21 Nevada Bar No. 12448
22 Hugo E. Hernandez-Diaz, Esq.
23 Nevada Bar No. 15565
24 7785 W. Sahara Ave, Suite 200
25 Las Vegas, NV 89117
26 Attorney for Defendants,
27 PHH Mortgage Corporation and
28 Federal National Mortgage Association

/s/ John Henry Wright (with permission)
John Henry Wright, Esq.
Nevada Bar No. 6182
2340 Paseo Del Prado, Suite D-305
Las Vegas, NV 89102
Attorneys for Plaintiff, TRP Fund VI, LLC

Jason D. Craig

From: John Wright <john@wrightlawgroupnv.com>
Sent: Thursday, March 10, 2022 10:01 AM
To: Hugo Hernandez-Diaz
Cc: Jason D. Craig; Christina V. Miller
Subject: RE: TRP Fund VI, LLC v. Quality Loan Service Corporation, et al. - Case No. A-22-84893-C RAVANUSA

Follow Up Flag: Follow up
Flag Status: Flagged

You may esign for me.

Did this go to sale or is the sale pending on another date?

John Henry Wright, Esq.

The Wright Law Group, P.C.
2340 Paseo Del Prado, Suite D-305
Las Vegas, Nevada 89102
Telephone: (702) 405-0001
Facsimile: (702) 405-8454
john@wrightlawgroupnv.com



From: Hugo Hernandez-Diaz <hhhdiaz@wrightlegal.net>
Sent: Thursday, March 10, 2022 9:21 AM
To: John Wright <john@wrightlawgroupnv.com>
Cc: Jason D. Craig <jcraig@wrightlegal.net>; Christina V. Miller <cmiller@wrightlegal.net>
Subject: TRP Fund VI, LLC v. Quality Loan Service Corporation, et al. - Case No. A-22-84893-C

Good morning John,

Attached is the proposed Order denying Plaintiff's Motion for Preliminary Injunction for your review. Please let me know if we may add your e-signature. Thank you.

Hugo E. Hernandez-Diaz, Esq.
Attorney



7785 W. Sahara Ave., Suite 200
Las Vegas, NV, 89117
Fax: (702) 946-1345
Off: (702) 475-3820

hhdiaz@wrightlegal.net

**Wright, Finlay & Zak: Your Counsel for
California, Nevada, Arizona, Washington,
Oregon, Utah, Hawaii, South Dakota, and
Texas**



NAMWOLF
LAW FIRM MEMBER

For escalated communications on matters, please
contact Christina V. Miller, Esq. at
cmiller@wrightlegal.net or (702) 706-1408.

PLEASE BE ADVISED THAT THIS FIRM IS A DEBT
COLLECTOR ATTEMPTING TO COLLECT A DEBT.
ANY INFORMATION OBTAINED WILL BE USED FOR
THAT PURPOSE. **IF YOU ARE A CONSUMER AND
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this material. Thank You.

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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

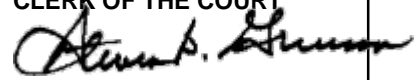
4		
5		
6	TRP Fund VI LLC, Plaintiff(s)	CASE NO: A-22-848493-C
7	vs.	DEPT. NO. Department 22
8	Quality Loan Service	
9	Corporation, Defendant(s)	

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 3/10/2022

15 Kristin Schuler-Hintz	DCNV@mccarthyholthus.com
16 DEFAULT ACCOUNT	NVefile@wrightlegal.net
17 Jason Craig	jrcraig@wrightlegal.net
18 John Wright	efile@wrightlawgroupnv.com
19 Kristin Schuler-Hintz	Khintz@mccarthyholthus.com
20 Hugo Hernandez-Diaz	hhdiaz@wrightlegal.net
21	
22	
23	
24	
25	
26	
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28	



1 **ASTA**
2 JOHN HENRY WRIGHT, ESQ.
3 Nevada Bar No. 6182
4 PHILIP S. GERSON, ESQ.
5 Nevada Bar No. 5964
6 **THE WRIGHT LAW GROUP, P.C.**
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8 Las Vegas, Nevada 89102
9 Telephone: (702) 405-0001
10 Facsimile: (702) 405-8454
11 Email: john@wrightlawgroupnv.com
12 phil@wrightlawgroupnv.com

13 *Attorneys for Plaintiff*
14 *TRP Fund VI, LLC*

15 **DISTRICT COURT**
16 **CLARK COUNTY, NEVADA**

17 TRP FUND VI, LLC, a Delaware Limited
18 Liability Company,

19 Plaintiff,

20 vs.

21 QUALITY LOAN SERVICE
22 CORPORATION, a foreign corporation;
23 PHH MORTGAGE CORPORATION, a
24 foreign corporation FEDERAL NATIONAL
25 MORTGAGE ASSOCIATION, a National
26 Banking Entity; DOES I through X,
27 inclusive; and ROE ENTITIES XI through
28 XX,

Defendants.

CASE NO. A-22-848493-C

DEPT. NO. XXII

CASE APPEAL STATEMENT

1. Name of the appellant filing this Case Appeal Statement:
TRP FUND VI, LLC.
2. Identify the Judge issuing the decision, judgment or order appealed from:
DISTRICT COURT JUDGE SUSAN JOHNSON.
3. Identify all parties to the proceedings in the district court:
TRP FUND VI, LLC, Plaintiff
QUALITY LOAN SERVICE CORPORATION, Defendant





PHH MORTGAGE CORPORATION, Defendant

FEDERAL NATIONAL MORTGAGE ASSOCIATION, Defendant

4. Identify all parties involved in this appeal:

TRP FUND VI, LLC, Appellant;

PHH MORTGAGE CORPORATION and FEDERAL NATIONAL MORTGAGE ASSOCIATION Respondents.

5. Set forth the names, law firms, addresses and telephone numbers of all counsel on appeal and identify the party/parties whom they represent:

JOHN HENRY WRIGHT, ESQ.
Nevada Bar No. 6182
THE WRIGHT LAW GROUP, P.C.
2340 Paseo Del Prado, Suite D-305
Las Vegas, Nevada 89102
Telephone: (702) 405-0001
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Email: john@wrightlawgroupnv.com

Attorney for Appellant
TRP FUND VI, LLC

CHRISTINA V. MILLER, ESQ.
Nevada Bar No. 12448
HUGO E. HERNANDEZ-DIAZ, ESQ.
Nevada Bar No. 15565
WRIGHT, FINLAY & ZAK, LLP
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Las Vegas, Nevada 89117
Tel. No. (702) 475-7964
Fax No. (702) 946-1345
Email: cmiller@wrightlegal.net
hhdiaz@wrightlegal.net

Attorneys for Respondents
PHH Mortgage Corporation and Federal National Mortgage Association

6. Appellant was represented by retained counsel, John Henry Wright, Esq., and of The Wright Law Group, P.C. in the District Court.

7. Respondent was represented by retained counsel Christina V. Miller, Esq., and Hugo E. Hernandez-Diaz, Esq., of Wright, Finlay & Zak, LLP in the District Court.

8. Appellant has not sought and has not been granted leave to proceed in forma pauperis.

9. Proceedings were commenced in the District Court with the filing of TRP FUND



VI, LLC's Complaint on February 17, 2022.

10. Nature of the Action: Quiet Title and Declaratory Relief regarding the validity of a Deed of Trust following an HOA foreclosure sale pursuant to NRS § 116. Appellant TRP FUND VI, LLC appeals from the Order Denying Motion for Preliminary Injunction and Dissolving Temporary Restraining Order, which was entered in this action on March 10, 2022.

11. There has been no prior appeals in this matter.

12. This appeal does not involve child custody or visitation.

13. This appeal involves the possibility of settlement.

Dated this 15th day of March, 2022.

Respectfully submitted by:
THE WRIGHT LAW GROUP, P.C.

/s/ John H. Wright, Esq.
JOHN HENRY WRIGHT, ESQ.
Nevada Bar No. 6182
2340 Paseo Del Prado, Suite D-305
Las Vegas, Nevada 89102

Attorney for Plaintiff
TRP Fund VI, LLC



CERTIFICATE OF SERVICE

I hereby certify that the foregoing CASE APPEAL STATEMENT was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 15th day of March, 2022. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

McCARTHY & HOLTHUS, LLP

Kristin A. Schuler-Hintz, Esq. Khintz@mccarthyholthus.com
Matthew P. Pawlowski Esq. DCNV@mccarthyholthus.com

Attorneys for Quality Loan Service Corporation

WRIGHT, FINLAY & ZAK, LLP

Christina V. Miller, Esq. cmillerAwrightlegal.net
Hugo E. Hernandez-Diaz, Esq. hhdiaz@wrightlegal.net

Attorneys for defendants PHH Mortgage Corporation and Federal National Mortgage Association

I further certify that I served a copy of this document by mailing a true and correct copy, thereof, postage prepaid, addressed to:

None.

/s/ Candi Ashdown
An employee of **THE WRIGHT LAW GROUP, P.C.**

¹ Pursuant to EDCR Rule 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP Rule 5(b)(2)(D).

CASE SUMMARY**CASE NO. A-22-848493-C****TRP Fund VI LLC, Plaintiff(s)****vs.****Quality Loan Service Corporation, Defendant(s)**§
§
§
§
§Location: **Department 22**Judicial Officer: **Johnson, Susan**Filed on: **02/17/2022**Cross-Reference Case **A848493**

Number:

CASE INFORMATIONCase Type: **Other Civil Matters**Case
Status: **02/17/2022 Open****DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number	A-22-848493-C
Court	Department 22
Date Assigned	02/17/2022
Judicial Officer	Johnson, Susan

PARTY INFORMATION**Plaintiff****TRP Fund VI LLC***Lead Attorneys***Wright, John H.***Retained*

702-405-0001(W)

Defendant**Federal National Mortgage Association****Nevada Legal News LLC**

Removed: 02/24/2022

Inactive

PHH Mortgage Corporation**Miller, Christina V.***Retained*

702-475-7964(W)

Quality Loan Service Corporation**Schuler-Hintz, Kristin A.***Retained*

702-685-0329(W)

DATE**EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

02/17/2022



Complaint

Filed By: Plaintiff TRP Fund VI LLC

[1] Complaint

02/17/2022



Initial Appearance Fee Disclosure

Filed By: Plaintiff TRP Fund VI LLC

[2] Initial Appearance Fee Disclosure

02/17/2022



Notice of Pendency of Action

Filed By: Plaintiff TRP Fund VI LLC

[3] Notice of Pendency of Action Affecting Real Property (Lis Pendens)

02/17/2022



Ex Parte Application

CASE SUMMARY

CASE NO. A-22-848493-C

Party: Plaintiff TRP Fund VI LLC

[4] Plaintiff, TRP Fund VI, LLC's, Ex Parte Application for a Temporary Restraining Order

02/17/2022



Temporary Restraining Order

Filed by: Plaintiff TRP Fund VI LLC

[5] Temporary Restraining Order

02/17/2022



Notice of Appearance

Party: Plaintiff TRP Fund VI LLC

[6] Notice of Appearance

02/18/2022



Initial Appearance Fee Disclosure

[7] Initial Appearance Fee Disclosure

02/18/2022



Answer

[8] Quality Loan Service Corporation's Declaration of Non-Monetary Status Pursuant to NRS 107.029

02/18/2022



Affidavit of Service

Filed By: Plaintiff TRP Fund VI LLC

Party Served: Defendant Nevada Legal News LLC

[9] Affidavit/Declaration of Service Nevada Legal News, LLC

02/18/2022



Affidavit of Service

Filed By: Plaintiff TRP Fund VI LLC

Party Served: Defendant PHH Mortgage Corporation

[10] Affidavit/Declaration of Service PHH Mortgage Corporation

02/18/2022



Affidavit of Service

Filed By: Plaintiff TRP Fund VI LLC

Party Served: Defendant Quality Loan Service Corporation

[11] Affidavit/Declaration of Service Quality Loan Service Corporation

02/18/2022



Notice of Posting Bond

Filed By: Plaintiff TRP Fund VI LLC

[12] Notice of Posting Bond

02/24/2022



Substitution of Attorney

Filed by: Plaintiff TRP Fund VI LLC

[13] Substitution of Attorneys

02/24/2022



Notice of Hearing

[14] Instructions for BlueJeans Videoconferencing

02/24/2022



Amended Complaint

Filed By: Plaintiff TRP Fund VI LLC

[15] Amended Complaint for Quiet Title and Declaratory Relief

02/24/2022



Summons Electronically Issued - Service Pending

Party: Plaintiff TRP Fund VI LLC

[16] Summons

02/25/2022






Summons Electronically Issued - Service Pending

Party: Plaintiff TRP Fund VI LLC

CASE SUMMARY

CASE NO. A-22-848493-C

	<i>[17] Summons</i>
02/25/2022	 Opposition to Motion Filed By: Defendant PHH Mortgage Corporation; Defendant Federal National Mortgage Association <i>[18] Opposition to TRP Fund VI, LLC's Ex Parte Motion for Temporary Restraining Order</i>
02/25/2022	 Initial Appearance Fee Disclosure Filed By: Defendant PHH Mortgage Corporation; Defendant Federal National Mortgage Association <i>[19] Initial Appearance Fee Disclosure</i>
02/28/2022	 Reply Filed by: Plaintiff TRP Fund VI LLC <i>[20] Plaintiff's Reply in Support of Motion for Preliminary Injunction</i>
03/08/2022	 Order <i>[21] Order on Quality Loan Service Corporation's Declaration of Non-Monetary Status Pursuant to NRS 107.029</i>
03/10/2022	 Order Denying Motion <i>[22] Order Denying Motion for Preliminary Injunction and Dissolving Temporary Restraining Order</i>
03/10/2022	 Notice of Entry of Order Filed By: Defendant PHH Mortgage Corporation; Defendant Federal National Mortgage Association <i>[23] Notice of Entry of Order</i>
03/14/2022	 Acceptance of Service Filed By: Plaintiff TRP Fund VI LLC <i>[24] Acceptance of Service</i>
03/14/2022	 Affidavit of Service Filed By: Plaintiff TRP Fund VI LLC <i>[25] Affidavit/ Declaration of Service PHH Mortgage Corporation</i>
03/15/2022	 Notice of Appeal Filed By: Plaintiff TRP Fund VI LLC <i>[26] Notice of Appeal</i>
03/15/2022	 Case Appeal Statement Filed By: Plaintiff TRP Fund VI LLC <i>[27] Case Appeal Statement</i>
	HEARINGS
03/01/2022	 Preliminary Injunction Hearing (8:30 AM) (Judicial Officer: Johnson, Susan) Denied; Journal Entry Details: <i>All appearances made via BlueJeans Videoconferencing Application. Arguments by counsel. COURT ORDERED, Plaintiff's Motion for Preliminary Injunction DENIED and temporary restraining order to be dissolved. Ms. Miller to prepare the order. ;</i>
DATE	FINANCIAL INFORMATION

Defendant PHH Mortgage Corporation
 Total Charges

253.00

CASE SUMMARY

CASE NO. A-22-848493-C

Total Payments and Credits	253.00
Balance Due as of 3/17/2022	0.00
Defendant Quality Loan Service Corporation	
Total Charges	223.00
Total Payments and Credits	223.00
Balance Due as of 3/17/2022	0.00
Plaintiff TRP Fund VI LLC	
Total Charges	294.00
Total Payments and Credits	294.00
Balance Due as of 3/17/2022	0.00
Plaintiff TRP Fund VI LLC	
Temporary Restraining Order Balance as of 3/17/2022	1,000.00

DISTRICT COURT CIVIL COVER SHEET

County, Nevada
Case No. _____
(Assigned by Clerk's Office)

CASE NO: A-22-848493-C
Department 22

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): TRP Fund VI, LLC 180 Newport Center Dr. # 230 Newport Beach, CA 92660 (949)338-0582	Defendant(s) (name/address/phone): Quality Loan Service Corporation 9510 W. Sahara Ave. LV NV 89117 (877) 369-6122
Attorney (name/address/phone): Joseph Y. Hong, Esq. 1980 Festival Plaza Dr., Suite 650 Las Vegas, Nevada 89135 (702) 870-1777	Attorney (name/address/phone): _____ _____ _____

II. Nature of Controversy (please select the one most applicable filing type below)

Civil Case Filing Types

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input checked="" type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

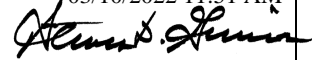
Business Court filings should be filed using the Business Court civil coversheet.

2-17-2022

Date

Signature of initiating party or representative

See other side for family-related case filings.


CLERK OF THE COURT

ODM

ORDER

1 WRIGHT, FINLAY & ZAK, LLP
2 Christina V. Miller, Esq.
3 Nevada Bar No. 12448
4 Hugo E. Hernandez-Diaz, Esq.
5 Nevada Bar No. 15565
6 7785 W. Sahara Ave, Suite 200
7 Las Vegas, NV 89117
8 (702) 475-7964; Fax: (702) 946-1345
9 cmiller@wrightlegal.net
10 hhdiaz@wrightlegal.net

Attorneys for Defendants, PHH Mortgage Corporation and Federal National Mortgage Association

**DISTRICT COURT
CLARK COUNTY, NEVADA**

11 TRP FUND VI, LLC, a Delaware Limited
12 Liability Company,

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15 QUALITY LOAN SERVICE
16 CORPORATION, a foreign corporation; PHH
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19 MORTGAGE ASSOCIATION, a National
20 Banking Entity; DOES I through X, inclusive
21 and ROE ENTITIES XI through XX,

22 Defendants.

Case No.: A-22-848493-C
Dept. No.: 22

**ORDER DENYING MOTION FOR
PRELIMINARY INJUNCTION AND
DISSOLVING TEMPORARY
RESTRAINING ORDER**

23 This Court previously entered a Temporary Restraining Order on February 17, 2022,
24 pending hearing on Plaintiff TRP Fund VI, LLC's ("Plaintiff") Motion for Preliminary
25 Injunction ("Motion"). Defendants PHH Mortgage Corporation and Federal National Mortgage
26 Association (collectively "Defendants") filed an Opposition to the Motion and Plaintiff filed a
27 Reply in support. A hearing was held on March 1, 2022, attended by John Wright, Esq., counsel
28 of record for Plaintiff, and Christina V. Miller, Esq., counsel of record for Defendants. Having
considered the parties' written briefs and oral argument presented at the hearing, the Court enters
the following decision:

///

1 Plaintiff seeks a preliminary injunction in order to enjoin foreclosure under the first
2 position Deed of Trust, recorded against the Property on June 30, 2008. Plaintiff argues that it
3 will suffer irreparable harm if the foreclosure sale proceeds and that Plaintiff has a likelihood of
4 success on the merits of its claims to justify entry of an injunction. Specifically, Plaintiff's
5 Complaint seeks quiet title, declaratory relief, and cancellation of the Deed of Trust because the
6 loan secured by the Deed of Trust was allegedly accelerated more than 10 years prior when the
7 original borrowers obtained a discharge of their personal repayment obligation in bankruptcy such
8 that the Deed of Trust is now allegedly extinguished by operation of NRS 106.240.

9 A preliminary injunction is available where the movant shows it enjoys a reasonable
10 probability of success on the merits, and the defendant's conduct, if allowed to continue, will
11 result in irreparable harm for which compensatory damage is an inadequate remedy. *Dangberg*
12 *Holdings Nev., LLC v. Douglas County*, 115 Nev. 129, 978 P.2d 311 (1999); *S.O.C., Inc. v. Mirage*
13 *Casino-Hotel*, 117 Nev. 403, 23 P .3d 243 (2001). The balance of hardships between the parties
14 should also be considered. *Ottenheimer v. Real Estate Division*, 91 Nev. 338, 535 P.3d 1284
15 (1975).

16 This Court finds that Plaintiff has not shown that it has a reasonable probability of success
17 on the merits of its claims.

18 First, the bankruptcy discharge did not make the loan "wholly due." A bankruptcy
19 discharge *excuses* the borrower from its obligation to make further payments and *precludes* the
20 lender from enforcing the borrower's personal credit obligation; it does not render the loan
21 "wholly due." *See* 11 U.S.C. § 524. Deeds of trust embody a security interest in the corresponding
22 real property, and unlike the personal debt obligations they secure, deeds of trust remain
23 enforceable after a bankruptcy discharge. As the Bankruptcy Court has explained, a "Chapter 7
24 discharge relieve[s] the Debtor of his personal liability for his prebankruptcy debts, but [does] not
25 affect the [corresponding] liens." *In re Mirchou*, 588 B.R. 555, 571 (D. Nev. Bankr. 2018).

26 Second, even if NRS 106.240 was triggered by the borrowers' bankruptcy discharge, NRS
27 106.240 is a conclusive presumption, by its express terms, and is not a statute of repose. As such,
28 this Court may take equitable considerations into account to determine whether the 10-year period

1 set forth in NRS 106.240 was tolled by the Prior Quiet Title Action (as defined in Defendants'
2 Opposition) and independently by the U.S. Department of Housing and Urban Development
3 COVID-19 foreclosure moratorium.

4 Accordingly,

5 IT IS HEREBY ORDERED that Plaintiff's Motion for Preliminary Injunction is
6 DENIED.

7 IT IS FURTHER ORDERED that the Temporary Restraining Order, entered on February
8 17, 2022, is dissolved and of no further force and effect.

9 IT IS SO ORDERED.

10 ~~DATED~~ _____.

Dated this 10th day of March, 2022



12 DISTRICT COURT JUDGE

199 869 1823 9CFC

Susan Johnson

District Court Judge

16 Respectfully submitted by:

17 WRIGHT, FINLAY & ZAK, LLP

19 /s/ Christina V. Miller

Christina V. Miller, Esq.

20 Nevada Bar No. 12448

21 Hugo E. Hernandez-Diaz, Esq.

Nevada Bar No. 15565

22 7785 W. Sahara Ave, Suite 200

Las Vegas, NV 89117

23 *Attorney for Defendants,*

24 *PHH Mortgage Corporation and*

Federal National Mortgage Association

Approved as to form and content:

THE WRIGHT LAW GROUP, P.C.

/s/ John Henry Wright (with permission)

John Henry Wright, Esq.

Nevada Bar No. 6182

2340 Paseo Del Prado, Suite D-305

Las Vegas, NV 89102

Attorneys for Plaintiff, TRP Fund VI, LLC

Jason D. Craig

From: John Wright <john@wrightlawgroupnv.com>
Sent: Thursday, March 10, 2022 10:01 AM
To: Hugo Hernandez-Diaz
Cc: Jason D. Craig; Christina V. Miller
Subject: RE: TRP Fund VI, LLC v. Quality Loan Service Corporation, et al. - Case No. A-22-84893-C RAVANUSA

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John Henry Wright, Esq.

The Wright Law Group, P.C.
2340 Paseo Del Prado, Suite D-305
Las Vegas, Nevada 89102
Telephone: (702) 405-0001
Facsimile: (702) 405-8454
john@wrightlawgroupnv.com



From: Hugo Hernandez-Diaz <hhhdiaz@wrightlegal.net>
Sent: Thursday, March 10, 2022 9:21 AM
To: John Wright <john@wrightlawgroupnv.com>
Cc: Jason D. Craig <jcraig@wrightlegal.net>; Christina V. Miller <cmiller@wrightlegal.net>
Subject: TRP Fund VI, LLC v. Quality Loan Service Corporation, et al. - Case No. A-22-84893-C

Good morning John,

Attached is the proposed Order denying Plaintiff's Motion for Preliminary Injunction for your review. Please let me know if we may add your e-signature. Thank you.

Hugo E. Hernandez-Diaz, Esq.
Attorney



7785 W. Sahara Ave., Suite 200
Las Vegas, NV, 89117
Fax: (702) 946-1345
Off: (702) 475-3820

hhdiaz@wrightlegal.net

**Wright, Finlay & Zak: Your Counsel for
California, Nevada, Arizona, Washington,
Oregon, Utah, Hawaii, South Dakota, and
Texas**



NAMWOLF
LAW FIRM MEMBER

For escalated communications on matters, please
contact Christina V. Miller, Esq. at
cmiller@wrightlegal.net or (702) 706-1408.

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1 **CSERV**

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3 DISTRICT COURT
CLARK COUNTY, NEVADA

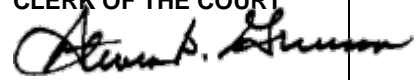
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6	TRP Fund VI LLC, Plaintiff(s)	CASE NO: A-22-848493-C
7	vs.	DEPT. NO. Department 22
8	Quality Loan Service	
9	Corporation, Defendant(s)	
10		

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 3/10/2022

15	Kristin Schuler-Hintz	DCNV@mccarthyholthus.com
16	DEFAULT ACCOUNT	NVefile@wrightlegal.net
17	Jason Craig	jrcraig@wrightlegal.net
18	John Wright	efile@wrightlawgroupnv.com
19	Kristin Schuler-Hintz	Khintz@mccarthyholthus.com
20	Hugo Hernandez-Diaz	hhdiaz@wrightlegal.net
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WRIGHT, FINLAY & ZAK, LLP

Christina V. Miller, Esq.

Nevada Bar No. 12448

Hugo E. Hernandez-Diaz, Esq.

Nevada Bar No. 15565

7785 W. Sahara Avenue, Suite 200

Las Vegas, Nevada 89117

(702) 475-7964; Fax: (702) 946-1345

cmiller@wrightlegal.net

hhdiaz@wrightlegal.net

Attorneys for Defendants, PHH Mortgage Corporation and Federal National Mortgage Association

**DISTRICT COURT
CLARK COUNTY, NEVADA**

TRP FUND VI, LLC, a Delaware Limited
Liability Company,

Plaintiff,
vs.

QUALITY LOAN SERVICE CORPORATION,
a foreign corporation; PHH MORTGAGE
CORPORATION, a foreign corporation;
FEDERAL NATIONAL MORTGAGE
ASSOCIATION, a National Banking Entity;
DOES I through X, inclusive and ROE
ENTITIES XI through XX,

Defendants.

Case No.: A-22-848493-C

Dept. No.: 22

NOTICE OF ENTRY OF ORDER

TO ALL INTERESTED PARTIES:

/././

/././

/././

1 PLEASE TAKE NOTICE that an Order Denying Motion for Preliminary Injunction and
2 Dissolving Temporary Restraining Order was entered in the above-entitled Court on the 10th day
3 of March, 2022, a file-stamped copy of which is attached hereto.

4 DATED this 10th day of March, 2022.

5 WRIGHT, FINLAY & ZAK, LLP

6 By: /s/ Hugo E. Hernandez-Diaz

7 Christina V. Miller, Esq.

8 Nevada Bar No. 12448

9 Hugo E. Hernandez-Diaz, Esq.

10 Nevada Bar No. 15565

11 7785 W. Sahara Avenue, Suite 200

12 Las Vegas, Nevada 89117

13 *Attorneys for Defendants, PHH Mortgage*
14 *Corporation and Federal National Mortgage*
15 *Association*
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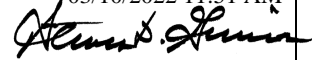
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of WRIGHT, FINLAY & ZAK, LLP, and that on this 10th day of March, 2022, I did cause a true copy of the foregoing **NOTICE OF ENTRY OF ORDER** to be e-filed and e-served through the Eighth Judicial District EFP system pursuant to NEFR 9, addressed as follows:

John H Wright	efile@wrightlawgroupnv.com
Kristin A Schuler-Hintz	DCNV@mccarthyholthus.com
Kristin A Schuler-Hintz	Khintz@mccarthyholthus.com

/s/ Jason Craig
An Employee of WRIGHT, FINLAY & ZAK, LLP


CLERK OF THE COURT

ODM

ORDER

1 WRIGHT, FINLAY & ZAK, LLP
2 Christina V. Miller, Esq.
3 Nevada Bar No. 12448
4 Hugo E. Hernandez-Diaz, Esq.
5 Nevada Bar No. 15565
6 7785 W. Sahara Ave, Suite 200
7 Las Vegas, NV 89117
8 (702) 475-7964; Fax: (702) 946-1345
9 cmiller@wrightlegal.net
10 hhdiaz@wrightlegal.net

Attorneys for Defendants, PHH Mortgage Corporation and Federal National Mortgage Association

**DISTRICT COURT
CLARK COUNTY, NEVADA**

11 TRP FUND VI, LLC, a Delaware Limited
12 Liability Company,

13 Plaintiff,
14 vs.

15 QUALITY LOAN SERVICE
16 CORPORATION, a foreign corporation; PHH
17 MORTGAGE CORPORATION, a foreign
18 corporation; FEDERAL NATIONAL
19 MORTGAGE ASSOCIATION, a National
20 Banking Entity; DOES I through X, inclusive
21 and ROE ENTITIES XI through XX,

22 Defendants.

Case No.: A-22-848493-C
Dept. No.: 22

**ORDER DENYING MOTION FOR
PRELIMINARY INJUNCTION AND
DISSOLVING TEMPORARY
RESTRAINING ORDER**

23 This Court previously entered a Temporary Restraining Order on February 17, 2022,
24 pending hearing on Plaintiff TRP Fund VI, LLC's ("Plaintiff") Motion for Preliminary
25 Injunction ("Motion"). Defendants PHH Mortgage Corporation and Federal National Mortgage
26 Association (collectively "Defendants") filed an Opposition to the Motion and Plaintiff filed a
27 Reply in support. A hearing was held on March 1, 2022, attended by John Wright, Esq., counsel
28 of record for Plaintiff, and Christina V. Miller, Esq., counsel of record for Defendants. Having
considered the parties' written briefs and oral argument presented at the hearing, the Court enters
the following decision:

///

1 Plaintiff seeks a preliminary injunction in order to enjoin foreclosure under the first
2 position Deed of Trust, recorded against the Property on June 30, 2008. Plaintiff argues that it
3 will suffer irreparable harm if the foreclosure sale proceeds and that Plaintiff has a likelihood of
4 success on the merits of its claims to justify entry of an injunction. Specifically, Plaintiff's
5 Complaint seeks quiet title, declaratory relief, and cancellation of the Deed of Trust because the
6 loan secured by the Deed of Trust was allegedly accelerated more than 10 years prior when the
7 original borrowers obtained a discharge of their personal repayment obligation in bankruptcy such
8 that the Deed of Trust is now allegedly extinguished by operation of NRS 106.240.

9 A preliminary injunction is available where the movant shows it enjoys a reasonable
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11 result in irreparable harm for which compensatory damage is an inadequate remedy. *Dangberg*
12 *Holdings Nev., LLC v. Douglas County*, 115 Nev. 129, 978 P.2d 311 (1999); *S.O.C., Inc. v. Mirage*
13 *Casino-Hotel*, 117 Nev. 403, 23 P.3d 243 (2001). The balance of hardships between the parties
14 should also be considered. *Ottenheimer v. Real Estate Division*, 91 Nev. 338, 535 P.3d 1284
15 (1975).

16 This Court finds that Plaintiff has not shown that it has a reasonable probability of success
17 on the merits of its claims.

18 First, the bankruptcy discharge did not make the loan "wholly due." A bankruptcy
19 discharge *excuses* the borrower from its obligation to make further payments and *precludes* the
20 lender from enforcing the borrower's personal credit obligation; it does not render the loan
21 "wholly due." *See* 11 U.S.C. § 524. Deeds of trust embody a security interest in the corresponding
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25 affect the [corresponding] liens." *In re Mirchou*, 588 B.R. 555, 571 (D. Nev. Bankr. 2018).

26 Second, even if NRS 106.240 was triggered by the borrowers' bankruptcy discharge, NRS
27 106.240 is a conclusive presumption, by its express terms, and is not a statute of repose. As such,
28 this Court may take equitable considerations into account to determine whether the 10-year period

1 set forth in NRS 106.240 was tolled by the Prior Quiet Title Action (as defined in Defendants'
2 Opposition) and independently by the U.S. Department of Housing and Urban Development
3 COVID-19 foreclosure moratorium.

4 Accordingly,

5 IT IS HEREBY ORDERED that Plaintiff's Motion for Preliminary Injunction is
6 DENIED.

7 IT IS FURTHER ORDERED that the Temporary Restraining Order, entered on February
8 17, 2022, is dissolved and of no further force and effect.

9 IT IS SO ORDERED.

10 ~~DATED~~ _____.

Dated this 10th day of March, 2022



11
12
13 DISTRICT COURT JUDGE
14 199 869 1823 9CFC
15 Susan Johnson
16 District Court Judge

16 Respectfully submitted by:
17 WRIGHT, FINLAY & ZAK, LLP

Approved as to form and content:
THE WRIGHT LAW GROUP, P.C.

18
19 /s/ Christina V. Miller
20 Christina V. Miller, Esq.
21 Nevada Bar No. 12448
22 Hugo E. Hernandez-Diaz, Esq.
23 Nevada Bar No. 15565
24 7785 W. Sahara Ave, Suite 200
25 Las Vegas, NV 89117
26 Attorney for Defendants,
27 PHH Mortgage Corporation and
28 Federal National Mortgage Association

/s/ John Henry Wright (with permission)
John Henry Wright, Esq.
Nevada Bar No. 6182
2340 Paseo Del Prado, Suite D-305
Las Vegas, NV 89102
Attorneys for Plaintiff, TRP Fund VI, LLC

Jason D. Craig

From: John Wright <john@wrightlawgroupnv.com>
Sent: Thursday, March 10, 2022 10:01 AM
To: Hugo Hernandez-Diaz
Cc: Jason D. Craig; Christina V. Miller
Subject: RE: TRP Fund VI, LLC v. Quality Loan Service Corporation, et al. - Case No. A-22-84893-C RAVANUSA

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John Henry Wright, Esq.

The Wright Law Group, P.C.
2340 Paseo Del Prado, Suite D-305
Las Vegas, Nevada 89102
Telephone: (702) 405-0001
Facsimile: (702) 405-8454
john@wrightlawgroupnv.com



From: Hugo Hernandez-Diaz <hhhdiaz@wrightlegal.net>
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Cc: Jason D. Craig <jcraig@wrightlegal.net>; Christina V. Miller <cmiller@wrightlegal.net>
Subject: TRP Fund VI, LLC v. Quality Loan Service Corporation, et al. - Case No. A-22-84893-C

Good morning John,

Attached is the proposed Order denying Plaintiff's Motion for Preliminary Injunction for your review. Please let me know if we may add your e-signature. Thank you.

Hugo E. Hernandez-Diaz, Esq.
Attorney



7785 W. Sahara Ave., Suite 200
Las Vegas, NV, 89117
Fax: (702) 946-1345
Off: (702) 475-3820

hhdiaz@wrightlegal.net

**Wright, Finlay & Zak: Your Counsel for
California, Nevada, Arizona, Washington,
Oregon, Utah, Hawaii, South Dakota, and
Texas**



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LAW FIRM MEMBER

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cmiller@wrightlegal.net or (702) 706-1408.

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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

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6	TRP Fund VI LLC, Plaintiff(s)	CASE NO: A-22-848493-C
7	vs.	DEPT. NO. Department 22
8	Quality Loan Service	
9	Corporation, Defendant(s)	

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 3/10/2022

15 Kristin Schuler-Hintz	DCNV@mccarthyholthus.com
16 DEFAULT ACCOUNT	NVefile@wrightlegal.net
17 Jason Craig	jrcraig@wrightlegal.net
18 John Wright	efile@wrightlawgroupnv.com
19 Kristin Schuler-Hintz	Khintz@mccarthyholthus.com
20 Hugo Hernandez-Diaz	hhdiaz@wrightlegal.net
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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

March 01, 2022

A-22-848493-C TRP Fund VI LLC, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

**March 01, 2022 8:30 AM Preliminary Injunction
Hearing**

HEARD BY: Johnson, Susan **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Nicole Cejas

RECORDER: Norma Ramirez

REPORTER:

PARTIES

PRESENT: Miller, Christina V. Attorney
Wright, John H. Attorney

JOURNAL ENTRIES

- All appearances made via BlueJeans Videoconferencing Application.

Arguments by counsel. COURT ORDERED, Plaintiff's Motion for Preliminary Injunction DENIED and temporary restraining order to be dissolved. Ms. Miller to prepare the order.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

JOHN HENRY WRIGHT, ESQ.
2340 PASEO DEL PRADO, STE D-305
LAS VEGAS, NV 89102

DATE: March 17, 2022
CASE: A-22-848493-C

RE CASE: TRP FUND VI, LLC vs. QUALITY LOAN SERVICE CORPORATION; PHH MORTGAGE CORPORATION; FEDERAL NATIONAL MORTGAGE ASSOCIATION

NOTICE OF APPEAL FILED: March 15, 2022

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
 - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING MOTION FOR PRELIMINARY INJUNCTION AND DISSOLVING TEMPORARY RESTRAINING ORDER; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

TRP FUND VI, LLC ,

Plaintiff(s),

vs.

QUALITY LOAN SERVICE CORPORATION;
PHH MORTGAGE CORPORATION;
FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Defendant(s),

Case No: A-22-848493-C

Dept No: XXII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 17 day of March 2022.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk

