

Electronically Filed
May 25 2022 09:57 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

BENJAMIN B. CHILDS
Nevada Bar # 3946
318 S. Maryland Parkway
Las Vegas, Nevada 89101
(702) 385-3865
Fax 385-1847
ben@benchilds.com
Attorney for Plaintiff/Counterdefendant

DISTRICT COURT
CLARK COUNTY, NEVADA

BRAD RESNIK

Plaintiff

vs.

QUALITY LOAN SERVICE CORPORATION and
SOTICOY BAY LLC, 4928 E Monroe Avenue and
NATIONSTAR MORTGAGE LLC d/b/a
MR. COOPER, and
US BANK TRUST NATIONAL ASSOCIATION, as
OWNER TRUSTEE FOR VRMTG ASSET TRUST,
and SHELLPOINT, and
JOHN DOES 1 through 5 inclusive
and ROE CORPORATIONS I through X

Defendants

=====
SOTICOY BAY LLC, 4928 E Monroe Avenue

Counterclaimant

vs.

BRAD RESNICK

Counterdefendant

=====

Case # A-22-847283-C
Dept # 5

NOTICE OF APPEAL

1 Notice is hereby given that Plaintiff/Counterdefendant BRAD RESNIK
2 hereby appeals to the Supreme Court of Nevada from the following Order.

3
4 ORDER GRANTING TEMPORARY WRIT OF RESTITUTION filed April 29, 2022.

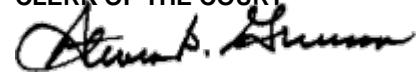
5
6
7 /s/ Benjamin B. Childs, Sr.

8 BENJAMIN B. CHILDS, Sr. ESQ.
9 NEVADA BAR # 3946
10 Attorney for Plaintiff/ Defendant/Appellant BRAD RESNICK

11 CERTIFICATE OF SERVICE

12 Pursuant to NRCP 5(b), I hereby certify that on May 16, 2022, I electronically
13 filed this NOTICE OF APPEAL and it was eserved through the Eighth Judicial District
14 Court electronic filing system to opposing counsel when filed. Electronic service is in
15 lieu of mailing.

16
17 /s/ Benjamin B. Childs, Sr.
18 BENJAMIN B. CHILDS, Sr. ESQ.
19 NEVADA BAR # 3946
20
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BENJAMIN B. CHILDS
Nevada Bar # 3946
318 S. Maryland Parkway
Las Vegas, Nevada 89101
(702) 385-3865
Fax 385-1847
ben@benchilds.com
Attorney for Plaintiff/Counterdefendant/Appellant

DISTRICT COURT
CLARK COUNTY, NEVADA

BRAD RESNIK

Plaintiff

vs.

QUALITY LOAN SERVICE CORPORATION and
SOTICOY BAY LLC, 4928 E Monroe Avenue and
NATIONSTAR MORTGAGE LLC d/b/a
MR. COOPER, and
US BANK TRUST NATIONAL ASSOCIATION, as
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Defendants

=====
SOTICOY BAY LLC, 4928 E Monroe Avenue

Counterclaimant

vs.

BRAD RESNICK

Counterdefendant

Case # A-22-847283-C
Dept # 5

CASE APPEAL
STATEMENT

1 1. NAME OF APPELLANT FILING THIS CASE APPEAL STATEMENT.

2 BRAD RESNICK

5 2. IDENTIFY JUDGE ISSUING THE DECISION APPEALED FROM :

6 Eighth Judicial District Court Senior Judge James Crockett

9 3. IDENTIFY ALL PARTIES TO THE PROCEEDINGS IN THE DISTRICT

10 COURT :

11 Plaintiff BRAD RESNICK

12 Defendants QUALITY LOAN SERVICE CORPORATION
13 SOTICOY BAY LLC, 4928 E Monroe Avenue
14 NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER
15 US BANK TRUST NATIONAL ASSOCIATION, as OWNER
16 TRUSTEE FOR VRMTG ASSET TRUST
17 SHELLPOINT

20 4. SET FORTH THE NAME, LAW FIRM, ADDRESS AND TELEPHONE

21 NUMBER OF ALL COUNSEL ON APPEAL AND IDENTIFY THE PARTY WHOM
22 THEY REPRESENT

23 Benjamin B. Childs of Benjamin B. Childs, Ltd. 318 S. Maryland Parkway Las
24 Vegas, NV 89101 (702) 251 0000 for Plaintiff/Appellant. Admitted to practice in
25 Nevada.
26

1 Kristin A. Schuler-Hintz and Matthew P. Pawlowski of McCarthy & Holstus, LLP
2 9510 W. Sahara Ave # 200 Las Vegas, NV 89117 (702) 685 0329 for Defendant
3 QUALITY LOAN SERVICE CORPORATION. Admitted to practice in Nevada.
4

5
6 Michael F. Bohn of Michael F. Bohn, Esq., Ltd. 2260 Corporate Circle # 480
7 Henderson, NV 889074 (702) 642 3113 for Defendant SOTICOY BAY LLC, 4928
8 E Monroe Avenue. Admitted to practice in Nevada.
9

10
11 Brody R. Wight of Troutman Pepper Hamilton Sanders, LLP 8985 S. Eastern Ave
12 # 200 Las Vegas, NV 89123 (470) 832 5586 for Defendant NATIONSTAR
13 MORTGAGE LLC d/b/a MR. COOPER. Admitted to practice in Nevada.
14

15
16 Ariel E. Stern and Natalie L. Winslow and Nicholas E. Belay of Akerman LLP
17 1635 Village Center Circle # 200 Las Vegas, NV 89134 (702) 634 5000 for
18 Defendants US BANK TRUST NATIONAL ASSOCIATION, as OWNER
19 TRUSTEE FOR VRMTG ASSET TRUST and SHELLPOINT
20

21
22 6. INDICATE WHETHER APPELLANT WAS REPRESENTED BY APPOINTED
23 OR RETAINED COUNSEL IN THE DISTRICT COURT :
24

25 Appellant was represented by retained counsel in the District Court.
26
27
28

1 7. INDICATE WHETHER APPELLANT IS REPRESENTED BY APPOINTED OR
2 RETAINED COUNSEL ON APPEAL :

3
4 Appellant is represented by retained counsel on appeal.

5
6 8. INDICATE WHETHER APPELLANT WAS GRANTED LEAVE TO PROCEED
7 IN FORMA PAUPERIS, AND THE DATE OF ENTRY OF THE DISTRICT
8 COURT ORDER GRANTING SUCH LEAVE :

9
10 Appellant has not been granted leave to proceed in forma pauperis.

11
12 9. INDICATE THE DATE THE PROCEEDINGS COMMENCED IN DISTRICT
13 COURT:

14
15 January 26, 2022

16
17 10. BRIEF DESCRIPTION OF THE NATURE OF THE ACTION AND RESULT
18 IN THE DISTRICT COURT, INCLUDING THE TYPE OF JUDGMENT OR
19 ORDER BEING APPEALED AND THE RELIEF GRANTED BY THE DISTRICT
20 COURT

21
22 Quiet Title and declaratory relief action following wrongful foreclosure and
23 violation of Homeowners Bill of Rights. The Court granted a Writ of Restitution to
24 Defendant SOTICOY BAY LLC, 4928 E Monroe Avenue, written order filed on
25 April 29, 2022
26
27
28

1 11. PREVIOUS APPEAL OR WRIT PETITION

2 None.

3
4
5 12. DOES THE CASE INVOLVE CHILD CUSTODY OR VISITATION?

6 No.

7
8
9 13. IN APPELLANT'S OPINION, CAN THE CASE BE SETTLED?

10 Yes.

11
12
13 /s/ Benjamin B. Childs, Sr.

14 _____
15 BENJAMIN B. CHILDS, Sr. ESQ.

16 NEVADA BAR # 3946

17 Attorney for Plaintiff/Appellant

18 CERTIFICATE OF SERVICE

19 Pursuant to NRCP 5(b), I hereby certify that on May 16, 2022, I
20 electronically filed this CASE APPEAL STATEMENT and it was eserved through
21 the Eighth Judicial District Court electronic filing system to opposing counsel
22 when filed. Electronic service is in lieu of mailing.

23
24 /s/ Benjamin B. Childs, Sr.

25 BENJAMIN B. CHILDS, Sr. ESQ.

26 NEVADA BAR # 3946

CASE SUMMARY**CASE NO. A-22-847283-C****Brad Resnik, Plaintiff(s)****vs.****Quality Loan Service Corporation, Defendant(s)**§
§
§
§
§Location: **Department 5**Judicial Officer: **Barisich, Veronica M.**Filed on: **01/26/2022**Cross-Reference Case **A847283**

Number:

CASE INFORMATIONCase Type: **Other Title to Property**Case
Status: **01/26/2022 Open****DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number	A-22-847283-C
Court	Department 5
Date Assigned	01/26/2022
Judicial Officer	Barisich, Veronica M.

PARTY INFORMATION

		<i>Lead Attorneys</i>
Plaintiff	Resnik, Brad	Childs, Benjamin B., ESQ <i>Retained</i> 702-385-3865(W)
Defendant	Nationstar Mortgage LLC	Wight, Brody R. <i>Retained</i> 702-318-5040(W)
	Quality Loan Service Corporation	Schuler-Hintz, Kristin A. <i>Retained</i> 702-685-0329(W)
	Saticoy Bay LLC	Bohn, Michael F <i>Retained</i> 702-642-3113(W)
	Shellpoint	Stern, Ariel E. <i>Retained</i> 702-634-5000(W)
	US Bank Trust National Association	Stern, Ariel E. <i>Retained</i> 702-634-5000(W)
Counter Claimant	Saticoy Bay LLC	Bohn, Michael F <i>Retained</i> 702-642-3113(W)
Counter Defendant	Resnik, Brad	Childs, Benjamin B., ESQ <i>Retained</i> 702-385-3865(W)

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

01/26/2022

EVENTS

Complaint

Filed By: Counter Defendant Resnik, Brad

CASE SUMMARY

CASE NO. A-22-847283-C

[1] Complaint

01/26/2022



Summons Electronically Issued - Service Pending

Party: Counter Defendant Resnik, Brad

[2] Summons Electronically Issued - Service Pending

02/17/2022



Initial Appearance Fee Disclosure

Filed By: Counter Claimant Saticoy Bay LLC

[3] Initial Appearance Fee Disclosure

02/17/2022



Answer and Counterclaim

Filed By: Counter Claimant Saticoy Bay LLC

[4] - Saticoy Bay LLC

02/21/2022



Answer to Counterclaim

Filed By: Counter Defendant Resnik, Brad

[5] Counterdefendant's Answer to Saticoy Bay LLC's Counterclaim

03/15/2022



Initial Appearance Fee Disclosure

Filed By: Defendant Quality Loan Service Corporation

[6] initial Appearance Fee Disclosure

03/15/2022



Answer

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

03/17/2022



Ex Parte Motion

Filed By: Counter Claimant Saticoy Bay LLC

[8] Ex Parte Motion For Order To Show Cause Why A Writ of Restitution Should Not Issue

03/17/2022



Summons

Filed by: Counter Defendant Resnik, Brad

Party served: Defendant Quality Loan Service Corporation

[9] Summons - Quality Loan Service Corp

03/17/2022



Summons

Filed by: Counter Defendant Resnik, Brad

Party served: Defendant Nationstar Mortgage LLC

[10] Summons - Nationstar Mortgage LLC

03/17/2022



Summons

Filed by: Counter Defendant Resnik, Brad

Party served: Defendant US Bank Trust National Association

[11] Summons - US Bank Trust National Association

03/17/2022



Summons

Filed by: Counter Defendant Resnik, Brad

Party served: Defendant Shellpoint

[12] Summons - Shellpoint

03/20/2022



Order to Show Cause

[13] Order to Show Cause Why a Writ of Restitution Should Not Issue















03/21/2022



Notice of Entry of Order

CASE SUMMARY

CASE NO. A-22-847283-C

	<p>Filed By: Counter Claimant Saticoy Bay LLC <i>[14] Notice of Entry of Order</i></p>
04/01/2022	<p> Stipulation and Order <i>[15] Stipulation and Order to Extend time to Respond to Complaint</i></p>
04/01/2022	<p> Order <i>[16] Order Regarding Defendant Quality Loan Service Corporation's Declaration of Non-Monetary Status Pursuant to NRS 107.029</i></p>
04/04/2022	<p> Notice of Entry of Stipulation and Order Filed By: Defendant US Bank Trust National Association <i>[17] Notice of Entry of Stipulation and Order To Extend Time to Respond to Complaint (First Request)</i></p>
04/07/2022	<p> Opposition to Motion Filed By: Counter Defendant Resnik, Brad <i>[18] Plaintiff/Counter defendant's Response to Order to Show Cause</i></p>
04/13/2022	<p> Supplement Filed by: Counter Claimant Saticoy Bay LLC <i>[19] Supplemental Authorities Regarding Order to Show Cause</i></p>
04/14/2022	<p> Motion to Dismiss Filed By: Defendant US Bank Trust National Association; Defendant Shellpoint <i>[20] Motion to Dismiss</i></p>
04/15/2022	<p> Clerk's Notice of Hearing <i>[21] Notice of Hearing</i></p>
04/18/2022	<p> Filing Fee Remittance Filed By: Defendant US Bank Trust National Association; Defendant Shellpoint <i>[22] Filing Fee Remittance</i></p>
04/19/2022	<p> Notice of Entry of Order <i>[23] Notice of Entry of Order on Quality Loan Service Corporation's Declaration of Non-Monetary Status pursuant to NRS 107.029</i></p>
04/19/2022	<p> Notice of Hearing <i>[24] Instructions for BlueJeans VideoConferencing</i></p>
04/19/2022	<p> Supplement Filed by: Counter Defendant Resnik, Brad <i>[25] Supplement to Response to Order to Show Cause</i></p>
04/21/2022	<p> Joinder To Motion Filed By: Counter Claimant Saticoy Bay LLC <i>[26] Joinder to Motion to Dismiss</i></p>
04/28/2022	<p> Opposition to Motion Filed By: Counter Defendant Resnik, Brad <i>[27] Opposition to Motion to Dismiss</i></p>
04/28/2022	<p> Default</p>

CASE SUMMARY

CASE NO. A-22-847283-C

[28] Default

04/29/2022



Order Granting

Filed By: Defendant Quality Loan Service Corporation; Counter Claimant Saticoy Bay LLC; Defendant Nationstar Mortgage LLC; Defendant US Bank Trust National Association; Defendant Shellpoint

[29] Order Granting Temporary Writ of Restitution

05/03/2022



Motion to Dismiss

Filed By: Defendant Nationstar Mortgage LLC

[30] Motion to Dismiss Complaint

05/04/2022



Clerk's Notice of Nonconforming Document

[31] Clerks Notice of Nonconforming Document

05/04/2022



Notice of Entry of Default

Party: Counter Defendant Resnik, Brad

[32] Notice of Entry of Default

05/09/2022



Motion to Dismiss

Filed By: Defendant Nationstar Mortgage LLC

[33] Motion to Dismiss Complaint

05/10/2022



Clerk's Notice of Hearing

[34] Notice of Hearing

05/10/2022



Filing Fee Remittance

Filed By: Defendant Nationstar Mortgage LLC

[35] Filing Fee Remittance

05/10/2022



Reply in Support

Filed By: Defendant US Bank Trust National Association; Defendant Shellpoint

[36] US Bank Trust National Association, as Owner Trustee for VRMTG Asset Trust and NewRez LLC d/b/a Shellpoint Mortgage Servicing's Reply in Support of Motion to Dismiss

05/13/2022



Notice of Hearing

[37] Instructions for BlueJeans VideoConferencing

05/16/2022



Opposition to Motion to Dismiss

Filed By: Counter Defendant Resnik, Brad

[38] OPPOSITION TO MOTION TO DISMISS

05/16/2022



Notice of Entry of Order

Filed By: Counter Defendant Resnik, Brad

[39] Notice of Entry of Order

05/16/2022



Notice of Appeal

Filed By: Counter Defendant Resnik, Brad

[40] NOTICE OF APPEAL

05/16/2022





Miscellaneous Filing

Filed by: Counter Defendant Resnik, Brad

[41] Miscellaneous Filing- Case Appeal Statement

CASE SUMMARY**CASE NO. A-22-847283-C**

05/16/2022	 Case Appeal Statement Filed By: Counter Defendant Resnik, Brad <i>[42] CASE APPEAL STATEMENT</i>
	<u>HEARINGS</u>
04/21/2022	Show Cause Hearing (9:00 AM) (Judicial Officer: Barisich, Veronica M.) <i>Show Cause Why a Writ of Restitution Should Not Issue</i>
05/17/2022	Motion to Dismiss (9:30 AM) (Judicial Officer: Barisich, Veronica M.) Events: 04/14/2022 Motion to Dismiss <i>Defendants US Bank Trust National Association & NewRez LLC d/b/a Shellpoint Mortgage Servicing's Motion to Dismiss</i> Stayed;
05/17/2022	Joinder (9:30 AM) (Judicial Officer: Barisich, Veronica M.) <i>[26] Joinder to Motion to Dismiss</i> Stayed;
05/17/2022	 All Pending Motions (9:30 AM) (Judicial Officer: Barisich, Veronica M.) Matter Heard; Journal Entry Details: <i>Argument by Mr. Belay that Plaintiff's claims are improper because Plaintiff was not the borrower and did not have an interest in the subject property. Further arguments by Mr. Belay regarding the applicable supporting statutes and caselaw. Mr. Childs advised that Plaintiff filed an appeal yesterday and requested the matter is stayed. COURT stated id FINDS that due to the filing of an appeal by Plaintiff and Counter Defendant, the matter cannot continue until further order of the Appeals Court. COURT ORDERED, matter STAYED.;</i>
06/09/2022	Motion to Dismiss (9:30 AM) (Judicial Officer: Barisich, Veronica M.) <i>Nationstar Mortgage LLC's Motion to Dismiss Complaint</i>

DATE**FINANCIAL INFORMATION**

Defendant Nationstar Mortgage LLC	
Total Charges	223.00
Total Payments and Credits	223.00
Balance Due as of 5/19/2022	0.00
Defendant Quality Loan Service Corporation	
Total Charges	223.00
Total Payments and Credits	223.00
Balance Due as of 5/19/2022	0.00
Counter Claimant Saticoy Bay LLC	
Total Charges	223.00
Total Payments and Credits	223.00
Balance Due as of 5/19/2022	0.00
Defendant US Bank Trust National Association	
Total Charges	253.00
Total Payments and Credits	253.00
Balance Due as of 5/19/2022	0.00
Counter Defendant Resnik, Brad	
Total Charges	311.50
Total Payments and Credits	311.50
Balance Due as of 5/19/2022	0.00
Counter Claimant Saticoy Bay LLC	
Temporary Restraining Order Balance as of 5/19/2022	1,100.00
Counter Defendant Resnik, Brad	

CASE SUMMARY

CASE NO. A-22-847283-C

Appeal Bond Balance as of 5/19/2022

500.00

DISTRICT COURT CIVIL COVER SHEET

Clark

County, Nevada

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

CASE NO: A-22-847283-C
Department 5

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

Plaintiff(s) (name/address/phone): Brad Resnik	Defendant(s) (name/address/phone): QUALITY LOAN SERVICE CORPORATION; SOTICOY BAY LLC, 4928 E Monroe Avenue; NATIONSTAR MORTGAGE LLC d/b/a MR. COOPER US BANK TRUST NATIONAL ASSOCIATION; SHELLPOINT
Attorney (name/address/phone): Benjamin B. Childs 318 S. Maryland Parkway Las Vegas, NV 89101 702 251 0000	Attorney (name/address/phone): unknown

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 checked="" type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input 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 <i>(select case type and estate value)</i> <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.

1/26/2022

Date

/s/ Benjamin B. Childs

Signature of initiating party or representative

See other side for family-related case filings.

Heather S. Linn

CLERK OF THE COURT

ORDG

MICHAEL F. BOHN, ESQ.

Nevada Bar No.: 1641

mbohn@bohnlawfirm.com

LAW OFFICES OF

MICHAEL F. BOHN, ESQ., LTD.

2260 Corporate Circle, Suite 480

Henderson, NV 89074

(702) 642-3113/ (702) 642-9766 FAX

Attorney for defendants

DISTRICT COURT

CLARK COUNTY, NEVADA

BRAD RESNIK

Plaintiff,

vs.

QUALITY LOAN SERVICE CORPORATION;
SATICOY BAY LLC SERIES 4928 E
MONROE AVENUE; NATIONSTAR
MORTGAGE LLC d/b/a MR. COOPER; US
BANK TRUST NATIONAL ASSOCIATION,
as OWNER TRUSTEE FOR VRMTG ASSET
TRUST AND SHELLPOINT; DOES I through
X

Defendants

CASE NO.: A-22-847283-C

DEPT NO.: 5

ORDER GRANTING TEMPORARY WRIT OF RESTITUTION

The hearing on the order to show cause having come before the court on the 21st day of April, 2022, Michael F Bohn, Esq. appearing on behalf of defendant Saticoy Bay, and Benjamin B. Childs, Esq., appearing on behalf of the plaintiff

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that a Temporary Writ of Restitution regarding the property commonly known as 4928 East Monroe Avenue, Las Vegas, Nevada, 89110 shall issue.

1 IT IS FURTHER ORDERED that the temporary writ of restitution shall immediately issue
2 regarding the real property commonly known as 4928 East Monroe Avenue, Las Vegas, Nevada,
3 89110 in favor of defendant Saticoy Bay LLC Series 4928 E Monroe Avenue commanding the
4 Sheriff or Constable to remove defendant and any subtenants from the subject real property.
5

6 IT IS FURTHER ORDERED that defendant Saticoy Bay shall post security with the clerk of
7 the court in the sum of \$1,100.00 for the temporary writ of restitution.

8 IT IS FURTHER ORDERED that the plaintiff is prohibited from removing any fixtures and
9 any other attached household items, or from causing or doing any damage to the property.
10

11 Dated this 29th day of April, 2022

12 
13 _____
DISTRICT COURT JUDGE

14 **E79 5E7 F613 6D16**
15 **Veronica M. Barisich**
District Court Judge

16 Respectfully submitted by:

17 LAW OFFICES OF
18 MICHAEL F. BOHN, ESQ., LTD

19 By: /s/ Michael F. Bohn, Esq./
20 Michael F. Bohn, Esq.
21 2260 Corporate Circle, Suite 480
22 Henderson, NV 89074
23 Attorney for defendant Saticoy Bay
24
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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Brad Resnik, Plaintiff(s)

CASE NO: A-22-847283-C

7 vs.

DEPT. NO. Department 5

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 Granting 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: 4/29/2022

15 Kristin Schuler-Hintz

DCNV@mccarthyholthus.com

16 E-Service BohnLawFirm

office@bohnlawfirm.com

17 Michael Bohn

mbohn@bohnlawfirm.com

18 Natalie Winslow

natalie.winslow@akerman.com

19 Ariel Stern

ariel.stern@akerman.com

20 Akerman LLP

AkermanLAS@akerman.com

21 Maurice Mazza

mazza@bohnlawfirm.com

22 Nicholas Belay

nicholas.belay@akerman.com

23 Maggie Lopez

maggie@bohnlawfirm.com

24 Kristin Schuler-Hintz

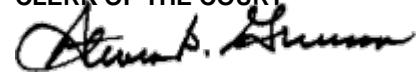
Khintz@mccarthyholthus.com

25 Benjamin Childs

ben@benchilds.com

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Plaintiff

vs.

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and SHELLPOINT, and
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and ROE CORPORATIONS I through X

Defendants

=====
SOTICOY BAY LLC, 4928 E Monroe Avenue

Counterclaimant

vs.

BRAD RESNICK

Counterdefendant

Case # A-22-847283-C
Dept # 5

NOTICE OF ENTRY
OF ORDER

1
2 Take Notice that an ORDER GRANTING TEMPORARY WRIT OF
3 RESTITUTION was filed April 29, 2022.. A copy of said filed Order is attached.
4

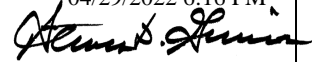
5
6 /s/ Benjamin B. Childs, Sr.

7 BENJAMIN B. CHILDS, Sr. ESQ.
8 NEVADA BAR # 3946
9 Attorney for Plaintiff/ Defendant/Appellant BRAD RESNICK

10 CERTIFICATE OF SERVICE

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16 /s/ Benjamin B. Childs, Sr.
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CLERK OF THE COURT

ORDG

MICHAEL F. BOHN, ESQ.
Nevada Bar No.: 1641
mbohn@bohnlawfirm.com
LAW OFFICES OF
MICHAEL F. BOHN, ESQ., LTD.
2260 Corporate Circle, Suite 480
Henderson, NV 89074
(702) 642-3113/ (702) 642-9766 FAX

Attorney for defendants

DISTRICT COURT

CLARK COUNTY, NEVADA

BRAD RESNIK

Plaintiff,

vs.

QUALITY LOAN SERVICE CORPORATION;
SATICOY BAY LLC SERIES 4928 E
MONROE AVENUE; NATIONSTAR
MORTGAGE LLC d/b/a MR. COOPER; US
BANK TRUST NATIONAL ASSOCIATION,
as OWNER TRUSTEE FOR VRMTG ASSET
TRUST AND SHELLPOINT; DOES I through
X

Defendants

CASE NO.: A-22-847283-C
DEPT NO.: 5

ORDER GRANTING TEMPORARY WRIT OF RESTITUTION

The hearing on the order to show cause having come before the court on the 21st day of April, 2022, Michael F Bohn, Esq. appearing on behalf of defendant Saticoy Bay, and Benjamin B. Childs, Esq., appearing on behalf of the plaintiff

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that a Temporary Writ of Restitution regarding the property commonly known as 4928 East Monroe Avenue, Las Vegas, Nevada, 89110 shall issue.

1 IT IS FURTHER ORDERED that the temporary writ of restitution shall immediately issue
2 regarding the real property commonly known as 4928 East Monroe Avenue, Las Vegas, Nevada,
3 89110 in favor of defendant Saticoy Bay LLC Series 4928 E Monroe Avenue commanding the
4 Sheriff or Constable to remove defendant and any subtenants from the subject real property.
5

6 IT IS FURTHER ORDERED that defendant Saticoy Bay shall post security with the clerk of
7 the court in the sum of \$1,100.00 for the temporary writ of restitution.

8 IT IS FURTHER ORDERED that the plaintiff is prohibited from removing any fixtures and
9 any other attached household items, or from causing or doing any damage to the property.
10

11 Dated this 29th day of April, 2022

12 
13 _____
DISTRICT COURT JUDGE

14 **E79 5E7 F613 6D16**
15 **Veronica M. Barisich**
District Court Judge

16 Respectfully submitted by:

17 LAW OFFICES OF
18 MICHAEL F. BOHN, ESQ., LTD

19 By: /s/ /Michael F. Bohn, Esq./
20 Michael F. Bohn, Esq.
21 2260 Corporate Circle, Suite 480
22 Henderson, NV 89074
23 Attorney for defendant Saticoy Bay
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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Brad Resnik, Plaintiff(s)

CASE NO: A-22-847283-C

7 vs.

DEPT. NO. Department 5

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 Granting 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: 4/29/2022

15 Kristin Schuler-Hintz

DCNV@mccarthyholthus.com

16 E-Service BohnLawFirm

office@bohnlawfirm.com

17 Michael Bohn

mbohn@bohnlawfirm.com

18 Natalie Winslow

natalie.winslow@akerman.com

19 Ariel Stern

ariel.stern@akerman.com

20 Akerman LLP

AkermanLAS@akerman.com

21 Maurice Mazza

mazza@bohnlawfirm.com

22 Nicholas Belay

nicholas.belay@akerman.com

23 Maggie Lopez

maggie@bohnlawfirm.com

24 Kristin Schuler-Hintz

Khintz@mccarthyholthus.com

25 Benjamin Childs

ben@benchilds.com

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27
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Other Title to Property

COURT MINUTES

May 17, 2022

A-22-847283-C Brad Resnik, Plaintiff(s)
vs.
Quality Loan Service Corporation, Defendant(s)

May 17, 2022 09:30 AM All Pending Motions

HEARD BY: Barisich, Veronica M. COURTROOM: Phoenix Building 11th Floor 110

COURT CLERK: Jackson, Carolyn

RECORDER: Erickson, Christine

REPORTER:

PARTIES PRESENT:

Benjamin B. Childs, ESQ Attorney for Counter Defendant, Plaintiff

Brad Resnik Counter Defendant, Plaintiff

Nicholas Ethan Belay Attorney for Defendant

JOURNAL ENTRIES

Argument by Mr. Belay that Plaintiff's claims are improper because Plaintiff was not the borrower and did not have an interest in the subject property. Further arguments by Mr. Belay regarding the applicable supporting statutes and caselaw. Mr. Childs advised that Plaintiff filed an appeal yesterday and requested the matter is stayed.

COURT stated it FINDS that due to the filing of an appeal by Plaintiff and Counter Defendant, the matter cannot continue until further order of the Appeals Court. COURT ORDERED, matter STAYED.



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

BENJAMIN B. CHILDS
318 S. MARYLAND PKWY.
LAS VEGAS, NV 89101

DATE: May 19, 2022
CASE: A-22-847283-C

RE CASE: BRAD RESNIK vs. QUALITY LOAN SERVICE CORPORATION; SOTICOY BAY LLC, 4928 E. MONROE AVENUE; NATIONSTAR MORTGAGE LLC dba MR. COOPER; US BANK TRUST NATIONAL ASSOCIATION as OWNER TRUSTEE FOR VRMTG ASSET TRUST; SHELLPOINT

NOTICE OF APPEAL FILED: May 16, 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 GRANTING TEMPORARY WRIT OF RESTITUTION; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

BRAD RESNIK,

Plaintiff(s),

vs.

QUALITY LOAN SERVICE CORPORATION;
SOTICOY BAY LLC, 4928 E. MONROE
AVENUE; NATIONSTAR MORTGAGE LLC
dba MR. COOPER; US BANK TRUST
NATIONAL ASSOCIATION as OWNER
TRUSTEE FOR VRMTG ASSET TRUST;
SHELLPOINT,

Defendant(s),


Case No: A-22-847283-C

Dept No: V

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 19 day of May 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

