

1 **NOAS**

2 **TYRONE KEITH ARMSTRONG**

3 3713 Brentcove Drive

4 North Las Vegas, Nevada 89032

5 Telephone: (702) 491-8426

6 Email: performanceoneautomotive@gmail.com

7 *Plaintiff Pro Se*

Electronically Filed
Jul 10 2023 10:26 AM
Elizabeth A. Brown
Clerk of Supreme Court

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 **TYRONE KEITH ARMSTRONG,**)

Case No: A-19-796941-C

11 **Plaintiff,**)

Dept No: 7

12)
13 vs.)

14 **U.S. BANK NATIONAL**)

15 **ASSOCIATION, as Trustee for**)

16 **Structured Asset Securities**)

17 **Corporation Mortgage Pass-Through**)

18 **Certificates, Series 2007-BC3;**)

19 **OCWEN LOAN SERVICING, LLC;**)

20 **PHH MORTGAGE CORPORATION;**)

21 **WESTERN PROGRESSIVE-**)

22 **NEVADA, INC.; DOES 1 through 20;**)

23 **and ROE BUSINESS ENTITIES 1**)

24 **through 20;**)

25 **Defendants.**)

26 **NOTICE OF APPEAL**

27 **TO: ALL PARTIES AND THEIR COUNSELS OF RECORD:**

1 NOTICE IS HEREBY GIVEN that Plaintiff Pro Se, Tyrone Keith
2 Armstrong (“Plaintiff-Appellant”), hereby appeals to the Supreme Court of the
3 State of Nevada from the *Order (1) Granting Defendant U.S. Bank National*
4 *Association, as Trustee for Structured Asset Securities Corporation Mortgage*
5 *Pass-Through Certificates, Series 2007-BC3’s Motion for Summary Judgment; (2)*
6 *Granting Defendant PHH Mortgage Corporation for Itself and as Successor to*
7 *Ocwen Loan Servicing, LLC’s Motion for Summary Judgment, and (3) Denying*
8 *Plaintiff Tyrone Keith Armstrong’s Countermotions for Summary Judgment*
9 entered in this action on June 02, 2023 (Notice of Entry of Order filed June 05,
10 2023).

11
12
13
14
15 An application to proceed in forma pauperis is filed contemporaneously
16 herewith.

17
18 **DATED** this 1st day of July, 2023.

19
20 By: /s/ Tyrone K. Armstrong
21 TYRONE K. ARMSTRONG
22 3713 Brentcove Drive
23 North Las Vegas, Nevada 89032
24 (702) 491-8426
25 performanceoneautomotive@gmail.com
26 *Plaintiff/Appellant Pro Se*
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

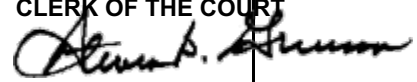
I HEREBY CERTIFY that on this 1st day of July, 2023, I served a true and correct copy of the foregoing *Notice of Appeal*, via the Court designated electronic service and/or U.S. Mail, first class postage prepaid, addressed to the following:

HOUSER, LLP
Jeffrey S. Allison, Esq.
6671 S. Las Vegas Boulevard
Las Vegas, Nevada 89119
Email: jallison@houser-law.com
Attorney for:
Ocwen Loan Servicing, LLC;
PHH Mortgage Corporation;
Western Progressive-Nevada, Inc.

FOX ROTHSCHILD, LLP
Kevin M. Sutehall, Esq.
John L. Grossman, Esq.
1980 Festival Plaza Drive Ste. 700
Las Vegas, Nevada 89135
ksutehall@foxrothschild.com
jgrossman@foxrothschild.com

Attorneys for U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-B3

By: /s/ Tyrone K. Armstrong
TYRONE K. ARMSTRONG
3713 Brentcove Drive
North Las Vegas, Nevada 89032
(702) 491-8426
performanceoneautomotive@gmail.com
Plaintiff/Appellant Pro Se



ASTA

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

TYRONE KEITH ARMSTRONG,

Plaintiff(s),

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.,

Defendant(s),

Case No: A-19-796941-C

Dept No: XII

CASE APPEAL STATEMENT

1. Appellant(s): Tyrone K. Armstrong

2. Judge: Danielle Chio

3. Appellant(s): Tyrone K. Armstrong

Counsel:

Tyrone Keith Armstrong
3713 Brentcove Dr.
North Las Vegas, NV 89032

4. Respondent (s): U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3

1 Counsel:

2 Mark J. Connot, Esq.
3 1980 Festival Plaza Dr. Ste. 700
4 Las Vegas, NV 89135

5 Respondent (s): Ocwen Loan Servicing, Llc; Phh Mortgage Corporation; Western Progressive-
6 Nevada, Inc.

7 Counsel:

8 Jeffrey S. Allison, Esq.
9 6671 S. Las Vegas Blvd.
10 Las Vegas, NV 89119

11 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
12 Permission Granted: N/A

13 Respondent(s)'s Attorney Licensed in Nevada: Yes
14 Permission Granted: N/A

15 Respondent(s)'s Attorney Licensed in Nevada: Yes
16 Permission Granted: N/A

17 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

18 7. Appellant Represented by Appointed Counsel On Appeal: N/A

19 8. Appellant Granted Leave to Proceed in Forma Pauperis**: Yes, December 22, 2020
20 **Expires 1 year from date filed Expired

21 Appellant Filed Application to Proceed in Forma Pauperis: Yes,
22 Date Application(s) filed: July 1, 2023

23 9. Date Commenced in District Court: June 18, 2019

24 10. Brief Description of the Nature of the Action: REAL PROPERTY - Title of Property

25 Type of Judgment or Order Being Appealed: Summary Judgment

26 11. Previous Appeal: Yes

27 Supreme Court Docket Number(s): 83545

28 12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 5 day of July 2023.

Steven D. Grierson, Clerk of the Court

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

/s/ Cierra Borum

Cierra Borum, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Tyrone K. Armstrong

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY**CASE NO. A-19-796941-C**

Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association, Defendant(s)

§
§
§
§
§
§

Location: **Department 7**
 Judicial Officer: **Chio, Danielle**
 Filed on: **06/18/2019**
 Case Number History:
 Cross-Reference Case **A796941**
 Number:
 Supreme Court No.: **83545**

CASE INFORMATION**Statistical Closures**

06/28/2023 Summary Judgment

Case Type: **Other Title to Property**Case Status: **06/28/2023 Closed****DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-19-796941-C
 Court Department 7
 Date Assigned 03/20/2023
 Judicial Officer Chio, Danielle

PARTY INFORMATION*Lead Attorneys*

Plaintiff **Armstrong, Tyrone Keith**

Defendant **BNC Mortgage Inc**
 Removed: 04/23/2020
 Dismissed

Ocwen Loan Servicing LLC

PHH Mortgage Corporation
 Removed: 08/25/2021
 Dismissed

US Bank National Association

Western Progressive-Nevada Inc

Allison, Jeffrey S.
Retained
 949-679-1111(W)

Allison, Jeffrey S.
Retained
 949-679-1111(W)

Connot, Mark J
Retained
 702-262-6899(W)

Allison, Jeffrey S.
Retained
 949-679-1111(W)

Counter Claimant **US Bank National Association**

Connot, Mark J
Retained
 702-262-6899(W)

Counter Defendant **Armstrong, Tyrone Keith**














Subpoena'd (Non) Party **First American Title Insurance Company**

Maurice, Aaron R.
Retained
 702-463-7616(W)

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

CASE SUMMARY

CASE NO. A-19-796941-C

06/18/2019	 Complaint Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[1] Verified Complaint for: 1. Wrongful Foreclosure; 2. Quiet Title; 3. Declaratory Relief; 4. Slander of Title; 5. Intentional Infliction of Emotional Distress; and 6. Fraud; Verified Complaint (Arbitration Exception Claimed: Title to Real Property)</i>
06/18/2019	 Initial Appearance Fee Disclosure Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[2] Initial Appearance Fee Disclosure (NRS Chapter 19)</i>
06/18/2019	 Notice of Lis Pendens Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[3] Notice of Lis Pendens</i>
06/19/2019	 Complaint Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[4] Verified Complaint for: 1. Wrongful Foreclosure; 2. Quiet Title; 3. Declaratory Relief; 4. Slander of Title; 5. Intentional Infliction of Emotional Distress; and 6. Fraud; Verified Complaint (Arbitration Exception Claimed: Title to Real Property)</i>
06/25/2019	 Ex Parte Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[5] Ex Parte Motion for a Temporary Restraining Order; or Alternatively for an Order to Show Cause; Oral Argument Requested</i>
06/26/2019	 Ex Parte Application Party: Counter Defendant Armstrong, Tyrone Keith <i>[6] Ex Parte Application for an Order Shortening Time on an Ex Parte Motion for a Temporary Restraining Order; or Alternatively for an Order to Show Cause; Hearing Requested</i>
06/27/2019	 Clerk's Notice of Hearing <i>[7] Notice of Hearing</i>
06/27/2019	 Application to Proceed in Forma Pauperis Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[8] Application to Proceed in Forma Pauperis (Confidential)</i>
06/27/2019	 Order to Proceed In Forma Pauperis Granted for: Counter Defendant Armstrong, Tyrone Keith <i>[9] Order to Proceed in Forma Pauperis (Confidential)</i>
06/28/2019	 Temporary Restraining Order Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[10] Order Granting Plaintiff Tyrone Keith Armstrong's Temporary Restraining Order; Hearing Requested</i>
06/28/2019	 Notice of Entry of Order <i>[11] Notice of Entry of Order</i>
06/28/2019	 Notice of Posting of Cost Bond <i>[12] Notice of Posting of Cost Bond</i>
06/28/2019	 Summons <i>[13] Summons</i>

CASE SUMMARY

CASE NO. A-19-796941-C

07/05/2019



Declaration

Filed By: Counter Defendant Armstrong, Tyrone Keith
[14] Declaration of Service

07/07/2019



Notice of Posting

Filed By: Counter Defendant Armstrong, Tyrone Keith
[15] Notice of Posting of Summons

07/07/2019



Notice of Posting

Filed By: Counter Defendant Armstrong, Tyrone Keith
[16] Notice of Posting of Summons

07/09/2019



Opposition

Filed By: Counter Claimant US Bank National Association; Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc
[17] Opposition to Ex Parte Motion for an Order to Show Cause re Preliminary Injunction; Request for Judicial Notice and Declaration in Support

07/09/2019



Initial Appearance Fee Disclosure

Filed By: Counter Claimant US Bank National Association; Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc
[18] Initial Appearance Fee Disclosure (NRS Chapter 19)

07/22/2019



Notice of Motion

Filed By: Counter Claimant US Bank National Association; Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc
[19] Notice of Motion and Motion to Dismiss Complaint; Request for Judicial Notice [N.R.C.P. 12(b)(5), (6)]; Hearing Requested

07/22/2019



Request for Judicial Notice

Filed By: Counter Claimant US Bank National Association; Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc
[20] Request for Judicial Notice in Support of Motion to Dismiss Complaint [NRS 47.130 et seq]; Hearing Requested

07/22/2019



Clerk's Notice of Hearing

[21] Notice of Hearing

07/31/2019



Declaration

Filed By: Counter Claimant US Bank National Association; Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc
[22] Declaration of Non-Monetary Status of Defendant Western Progressive-Nevada, Inc. [NRS 107.029]

08/01/2019



Notice of Withdrawal of Attorney

Filed by: Counter Defendant Armstrong, Tyrone Keith
[23] Notice of Withdrawal of Counsel

08/04/2019



Objection

Filed By: Counter Defendant Armstrong, Tyrone Keith

CASE SUMMARY

CASE NO. A-19-796941-C

[24] Plaintiff's Objection to Defendants' Request for Judicial Notice

08/05/2019



Miscellaneous Filing

Filed by: Counter Defendant Armstrong, Tyrone Keith

[25] Miscellaneous Filing - Plaintiff's Exhibits 1-4

08/30/2019



Default

Filed By: Counter Defendant Armstrong, Tyrone Keith

Default Prty: Defendant BNC Mortgage Inc

[26] Default

09/05/2019



Opposition and Countermotion

Filed By: Counter Defendant Armstrong, Tyrone Keith

[27] Plaintiff's Opposition to Motion to Dismiss and Countermotion for Summary Judgment; or Alternatively Motion for Continuance Under NRCP 56(d)

09/06/2019



Clerk's Notice of Hearing

[28] Notice of Hearing

09/06/2019



Certificate of Mailing

Filed By: Counter Defendant Armstrong, Tyrone Keith

[29] Certificate of Mailing

09/10/2019



Notice of Hearing

Filed By: Counter Defendant Armstrong, Tyrone Keith

[30] Notice of Hearing of Prove Up; Hearing Requested

09/10/2019



Application for Default Judgment

[31] Application for Default Judgment Against BNC Mortgage, Inc. and Prove Up Hearing; Hearing Requested

09/11/2019



Clerk's Notice of Hearing

[32] Notice of Hearing

09/11/2019



Clerk's Notice of Hearing

[33] Notice of Hearing

09/11/2019



Certificate of Mailing

Filed By: Counter Defendant Armstrong, Tyrone Keith

[34] Certificate of Mailing

09/12/2019



Notice of Rescheduling of Hearing

[35] Notice of Rescheduling of Hearings

09/20/2019



Notice of Bankruptcy

Filed By: Defendant BNC Mortgage Inc

[36] Notice of Bankruptcy

09/20/2019



Initial Appearance Fee Disclosure

Filed By: Defendant BNC Mortgage Inc

[37] Defendant, BNC Mortgage LLC Incorrectly Designated in the Caption as BNC Mortgage, Inc. Initial Appearance Fee Disclosure













09/27/2019



Substitution of Attorney

CASE SUMMARY








CASE NO. A-19-796941-C

	<p>Filed by: Counter Claimant US Bank National Association <i>[38] Substitution of Counsel</i></p>
10/01/2019	<p> Reply to Opposition Filed by: Counter Claimant US Bank National Association; Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc <i>[39] Reply to Opposition to Motion to Dismiss Complaint; Opposition to Counter-Motion for Summary Judgment</i></p>
10/13/2019	<p> Reply to Opposition Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[40] Plaintiff's Reply to Opposition to Countermotion for Summary Judgment</i></p>
10/15/2019	<p> Notice of Rescheduling of Hearing <i>[41] Notice of Rescheduling of Hearings</i></p>
11/04/2019	<p> Status Report Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[42] Status Report re: Relief from Bankruptcy Automatic Stay</i></p>
11/06/2019	<p> Reply in Support Filed By: Counter Claimant US Bank National Association <i>[43] Reply in Support of Motion to Dismiss Complaint; Joinder to Co-Defendants' Reply and Opposition; and Opposition to Counter-Motion for Summary Judgment</i></p>
11/08/2019	<p> Motion to Strike <i>[44] Plaintiff's Motion to Strike Defendant U.S. Bank's Reply Filed on November 06, 2019; and Ex Parte Motion for an Order Shortening Time; Hearing Requested</i></p>
11/08/2019	<p> Order Shortening Time <i>[45] Order Shortening Time</i></p>
11/08/2019	<p> Notice of Entry of Order <i>[46] Notice of Entry of Order Shortening Time</i></p>
11/12/2019	<p> Opposition to Motion Filed By: Counter Claimant US Bank National Association <i>[47] Defendant U.S. Bank National Association's Opposition to Plaintiff's Motion to Strike Reply Filed on November 6, 2019; and Ex Parte Motion for an Order Shortening Time</i></p>
11/18/2019	<p> Notice of Withdrawal of Attorney Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[48] Notice of Withdrawal as Counsel of Record</i></p>
11/25/2019	<p> Order Filed By: Counter Claimant US Bank National Association <i>[49] Order on Defendants' Motion to Dismiss Complaint; Plaintiff's Opposition and Countermotion for Summary Judgment; and Plaintiff's Motion to Strike Defendant U.S. Bank National Association's Reply Filed on November 6, 2019</i></p>
11/25/2019	<p> Notice of Entry of Order Filed By: Counter Claimant US Bank National Association <i>[50] Notice of Entry of Order on Defendants' Motion to Dismiss Complaint; Plaintiff's Opposition and Countermotion for Summary Judgment; and Plaintiff's Motion to Strike</i></p>

CASE SUMMARY













CASE NO. A-19-796941-C

Defendant U.S. Bank National Association's Reply Filed on November 6, 2019

12/09/2019	 Answer to Complaint Filed by: Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc <i>[51] Answer to Complaint</i>
12/10/2019	 Answer to Complaint Filed by: Counter Claimant US Bank National Association <i>[52] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Answer to Complaint</i>
12/14/2019	 Notice of Early Case Conference Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[53] Notice of Early Case Conference</i>
01/21/2020	 Status Report Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[54] Status Report re: Defendant BNC Mortgage, Inc.</i>
01/29/2020	 Notice of Change of Firm Name Filed By: Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc <i>[55] Notice of Change of Firm Name</i>
02/06/2020	 Defendants Case Conference Report Filed By: Counter Claimant US Bank National Association; Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc <i>[56] Defendants' Case Conference Report</i>
02/07/2020	 Plaintiffs Case Conference Report Party: Counter Defendant Armstrong, Tyrone Keith <i>[57] Plaintiff's Individual Case Conference Report</i>
02/12/2020	 Status Report Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[58] Status Report re: Wire Transfer and/or Negotiated Check</i>
02/25/2020	 Offer of Judgment Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[59] Offer of Judgment</i>
04/06/2020	 Order <i>[60] Order Scheduling Mandatory Case Management Conference</i>
04/06/2020	 Notice of Intent to Participate Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[61] Notice of Intent to Appear by Communication Equipment</i>
04/22/2020	 Scheduling and Trial Order <i>[62] Scheduling Order and Order Setting Civil Jury Trial, Pre-Trial Conference/Calendar Call</i>
04/23/2020	


CASE SUMMARY

CASE NO. A-19-796941-C

	 Clerk's Notice of Nonconforming Document <i>[63] Clerk's Notice of Nonconforming Document</i>
04/23/2020	 Stipulation and Order for Dismissal <i>[64] Stipulation and Order of Voluntary Dismissal re: Defendant BNC Mortgage, Inc.</i>
04/23/2020	 Notice of Entry of Order Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[65] Notice of Entry of Order</i>
07/30/2020	 Stipulation and Order Filed by: Counter Claimant US Bank National Association <i>[66] Stipulation and Order Permitting Issuance of Subpoena; Before the Discovery Commissioner</i>
10/13/2020	 Motion to Extend Discovery <i>[67] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007- BC3's Motion to Extend Discovery Deadlines and Trial on Order Shortening Time (First Request); Hearing Requested</i>
10/13/2020	 Certificate of Service Filed by: Counter Claimant US Bank National Association <i>[68] Certificate of Service</i>
10/16/2020	 Motion Filed By: Counter Claimant US Bank National Association <i>[69] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion for Leave to Issue Subpoenas Duces Tecum Pursuant to NRCP 45 and Administrative Order 20-17; Discovery Hearing Requested Discovery Commissioner</i>
10/16/2020	 Declaration Filed By: Counter Claimant US Bank National Association <i>[70] Declaration of Kevin M. Sutehall in Support of Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion for Leave to Issue Subpoenas Duces Tecum Pursuant to NRCP 45 and Administrative Order 20-17; Discovery Hearing Requested Discovery Commissioner</i>
10/19/2020	 Clerk's Notice of Hearing <i>[71] Notice of Hearing</i>
10/19/2020	 Opposition to Motion Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[72] Plaintiff's Opposition and Evidentiary Objections to Defendant U.S. Bank's Motion to Extend Discovery Deadlines</i>
10/20/2020	 Affidavit of Service Filed By: Counter Claimant US Bank National Association <i>[73] Affidavit of Service</i>
10/20/2020	 Motion for Partial Summary Judgment Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[74] Plaintiff's Motion for Partial Summary Judgment; Hearing Requested</i>

CASE SUMMARY

CASE NO. A-19-796941-C

10/21/2020	 Clerk's Notice of Hearing <i>[75] Notice of Hearing</i>
10/26/2020	 Order Granting Motion Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[76] Order Granting Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion to Extend Discovery Deadlines and Trial on Order Shortening Time (First Request)</i>
10/26/2020	 Stipulation and Order Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[77] Stipulation and Order to Reschedule Hearing on Plaintiff's Motion for Partial Summary Judgment</i>
10/26/2020	 Notice of Entry of Stipulation and Order Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[78] Notice of Entry of Stipulation and Order</i>
10/26/2020	 Motion for Protective Order Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[79] Objection to Defendant U.S. Bank's Motion to Issue Subpoena Duces Tecum and Plaintiff's Motion for Protective Order [NRCP 26(c)(1) Certification; Discovery Hearing Requested</i>
10/27/2020	 Notice of Entry of Order Filed By: Counter Claimant US Bank National Association <i>[80] Notice of Entry of Order</i>
10/27/2020	 Application to Proceed in Forma Pauperis Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[81] Application to Proceed in Forma Pauperis (Confidential)</i>
11/09/2020	 Reply in Support Filed By: Counter Claimant US Bank National Association <i>[82] 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 Motion for Leave to Issue Subpoenas Duces Tecum Pursuant to NRCP 45 and Administrative Order 20-17; and Opposition to Plaintiff's "Motion for Protective Order"</i>
11/16/2020	 Motion to Compel Filed By: Counter Claimant US Bank National Association <i>[83] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong; Hearing Requested; Discovery Commissioner</i>
11/16/2020	 Clerk's Notice of Hearing <i>[84] Notice of Hearing</i>
11/16/2020	 Reply to Opposition Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[85] Reply to Defendant U.S. Bank's Opposition to Plaintiff's Motion for Protective Order</i>
11/16/2020	 Subpoena Electronically Issued Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[86] Subpoena Duces Tecum (Electronically Issued Only)</i>

CASE SUMMARY

CASE NO. A-19-796941-C

11/23/2020	 Motion for Protective Order Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[87] Objection to Defendant U.S. Bank's Motion to Compel NRCP 35 Examination Upon Plaintiff and Motion for Protective Order; NRCP 26(c)(1) Certification; Discovery Hearing Requested</i>
11/24/2020	 Affidavit of Service Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[88] Affidavit of Service</i>
11/25/2020	 Clerk's Notice of Hearing <i>[89] Notice of Hearing</i>
12/07/2020	 Motion for Leave to File <i>[90] Motion for Leave to File First Amended Complaint; Attempt to Confer Certification</i>
12/07/2020	 Motion to Consolidate Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[91] Motion to Consolidate Hearing Dates; EDCR 2.34 Certification</i>
12/07/2020	 Clerk's Notice of Hearing <i>[92] Notice of Hearing</i>
12/07/2020	 Clerk's Notice of Hearing <i>[93] Notice of Hearing</i>
12/08/2020	 Order Shortening Time Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[94] Order Shortening Time</i>
12/08/2020	 Ex Parte Application Party: Counter Defendant Armstrong, Tyrone Keith <i>[95] Ex Parte Application for an Order Shortening Time on Motion for Protective Order</i>
12/08/2020	 Notice of Entry of Order Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[96] Notice of Entry of Order Shortening Time</i>
12/09/2020	 Reply in Support Filed By: Counter Claimant US Bank National Association <i>[97] 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 Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong; Before the Discovery Commissioner</i>
12/09/2020	 Response Filed by: Counter Claimant US Bank National Association <i>[98] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Response to Plaintiff's Objection to Defendant U.S. Bank's Motion to Compel NRCP 35 Examination Upon Plaintiff and Motion for Protective Order; Before the Discovery Commissioner</i>
12/14/2020	 Ex Parte Application Party: Counter Defendant Armstrong, Tyrone Keith

CASE SUMMARY

CASE NO. A-19-796941-C

	<i>[99] Ex Parte Application for an Order Shortening Time on Motion for Leave to File First Amended Complaint</i>
12/15/2020	 Notice of Rescheduling of Hearing <i>[100] Notice of Rescheduling Hearing</i>
12/16/2020	 Declaration Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[101] Declaration of Plaintiff Tyrone Keith Armstrong in Support of Compliance With the Discovery Commissioner's Order of November 24, 2020</i>
12/17/2020	 Discovery Commissioners Report and Recommendations <i>[102] Discovery Commissioner's Report and Recommendations</i>
12/18/2020	 Response Filed by: Counter Claimant US Bank National Association <i>[103] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Response to Plaintiff's Motion for Leave to File First Amended Complaint; and Countermotion for Extension of Discovery Deadlines (Second Request)</i>
12/21/2020	 Joinder Filed By: Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc <i>[104] Joinder to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Response to Plaintiff's Motion for Leave to File First Amended Complaint; and Countermotion for Extension of Discovery Deadlines</i>
12/22/2020	 Order to Proceed In Forma Pauperis Granted for: Counter Defendant Armstrong, Tyrone Keith <i>[105] Order to Proceed in Forma Pauperis (Confidential)</i>
12/23/2020	 Subpoena Electronically Issued Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[106] Subpoena Duces Tecum (Electronically Issued Only)</i>
12/30/2020	 Declaration Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[107] Declaration of Service</i>
12/30/2020	 Opposition to Motion Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[108] Opposition to Defendants' Countermotion for Extension of Discovery Deadlines (Second Request)</i>
01/04/2021	 Order <i>[109] Order re. Discovery Commissioner's Report and Recommendations</i>
01/12/2021	 Discovery Commissioners Report and Recommendations Filed By: Counter Claimant US Bank National Association <i>[110] Discovery Commissioner's Report and Recommendations</i>
01/12/2021	 Discovery Commissioners Report and Recommendations Filed By: Counter Claimant US Bank National Association

CASE SUMMARY

CASE NO. A-19-796941-C

[111] Discovery Commissioner's Report and Recommendations

01/15/2021



Subpoena Electronically Issued

Filed by: Counter Defendant Armstrong, Tyrone Keith

[112] Subpoena Duces Tecum (Electronically Issued Only)

01/15/2021



Subpoena Electronically Issued

Filed by: Counter Defendant Armstrong, Tyrone Keith

[113] Subpoena Duces Tecum (Electronically Issued Only)

01/15/2021



Subpoena Electronically Issued

Filed by: Counter Defendant Armstrong, Tyrone Keith

[114] Subpoena Duces Tecum (Electronically Issued Only)

01/22/2021



Motion to Compel

Filed By: Counter Defendant Armstrong, Tyrone Keith

[115] Plaintiff's Motion to Compel Production of Documents from First American Title Insurance Company; EDCR 2.34 Certification' Discovery Hearing Requested

01/25/2021



Clerk's Notice of Hearing

[116] Notice of Hearing

01/29/2021



Order

[117] Order re. Discovery Commissioner's Report and Recommendations

01/29/2021



Order

[118] Order re. Discovery Commissioner's Report and Recommendations

01/29/2021



Stipulated Protective Order

Filed By: Counter Claimant US Bank National Association

[119] Stipulated Protective Order

01/29/2021



Motion for Protective Order

Filed By: Counter Defendant Armstrong, Tyrone Keith

[120] Plaintiff's Motion for Protective Order; EDCR 2.34 Certification; Discovery Hearing Requested

01/30/2021



Notice of Entry of Order

Filed By: Counter Defendant Armstrong, Tyrone Keith

[121] Notice of Entry of Order

02/02/2021



Clerk's Notice of Hearing

[122] Notice of Hearing

02/03/2021



Order Granting Motion

Filed By: Counter Claimant US Bank National Association

[123] Order Granting Plaintiff's Motion for Leave to File First Amended Complaint and Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007- BC3's Countermotion for Extension of Discovery Deadlines (Second Request)

02/04/2021



Opposition to Motion to Compel

[124] First American Title Insurance Company's Opposition to Plaintiff's Motion to Compel

CASE SUMMARY

CASE NO. A-19-796941-C

02/05/2021	 Notice of Entry of Order Filed By: Counter Claimant US Bank National Association <i>[125] Notice of Entry of Order</i>
02/09/2021	 Joinder to Opposition to Motion Filed by: Counter Claimant US Bank National Association <i>[126] Joinder to Opposition to Plaintiff's Motion to Compel Production of Documents from First American Title Insurance Company</i>
02/10/2021	 Recorders Transcript of Hearing <i>[127] Transcript of Hearing Held on December 17, 2020</i>
02/12/2021	 Opposition to Motion Filed By: Counter Claimant US Bank National Association <i>[128] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Motion for Protective Order</i>
02/12/2021	 Joinder Filed By: Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc <i>[129] Joinder to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Motion for Protective Order</i>
02/16/2021	 Discovery Commissioners Report and Recommendations Filed By: Counter Claimant US Bank National Association <i>[130] Discovery Commissioner's Report and Recommendations</i>
02/19/2021	 Motion to Compel <i>[131] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Renewed Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong; Hearing on Shortened Time Requested Before Discovery Commissioner</i>
02/19/2021	 Motion to Seal/Redact Records Filed By: Counter Claimant US Bank National Association <i>[132] Motion to Seal Exhibit 2-A to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Renewed Motion to Compel NRCP 35 Examination on Plaintiff Tyrone Keith Armstrong</i>
02/19/2021	 Filed Under Seal Filed By: Counter Claimant US Bank National Association <i>[133] Exhibit 2-A to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Renewed Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong [Motion to Seal Filed Concurrently Herewith] (Sealed per Minutes Order 02/22/2021)</i>
02/19/2021	 Order <i>[134] Order re. Discovery Commissioner's Report and Recommendations</i>
02/22/2021	 Clerk's Notice of Hearing <i>[135] Notice of Hearing</i>
02/27/2021	 Reply to Opposition Filed by: Counter Defendant Armstrong, Tyrone Keith

CASE SUMMARY

CASE NO. A-19-796941-C

[136] Reply to Defendant U.S. Bank's Opposition to Plaintiff's Motion for Protective Order and Opposition to Defendant U.S. Bank's Motion to Renew NRCP 35 Examination

02/27/2021



First Amended Complaint

Filed By: Counter Defendant Armstrong, Tyrone Keith

[137] Plaintiff's First Amended Complaint: 1. Wrongful Foreclosure; 2. Quiet Title; 3. Declaratory Relief; and 4. Slander of Title; Plaintiff's First Amended Complaint (Arbitration Exception Claimed: Title to Real Property)

03/03/2021



Notice of Withdrawal of Attorney

Filed by: Counter Defendant Armstrong, Tyrone Keith

[138] Notice of Withdrawal of Attorney

03/03/2021



Subpoena Electronically Issued

Filed by: Counter Defendant Armstrong, Tyrone Keith

[139] Amended Subpoena Duces Tecum (Electronically Issued Only)

03/08/2021



Receipt of Copy

Filed by: Counter Defendant Armstrong, Tyrone Keith

[140] Receipt of Copy

03/12/2021



Answer and Counterclaim

Filed By: Counter Claimant US Bank National Association

[141] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Answer to Plaintiff's First Amended Complaint and Counterclaim

03/15/2021



Answer to Amended Complaint

Filed By: Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation

[142] Answer to First Amended Complaint

03/15/2021



Notice

Filed By: Defendant Western Progressive-Nevada Inc

[143] Notice of Declaration of Non-Monetary Status of Defendant Western Progressive-Nevada, Inc. re First Amended Complaint [NRS 107.029]

03/15/2021



Subpoena Electronically Issued

Filed by: Counter Defendant Armstrong, Tyrone Keith

[144] Subpoena Duces Tecum (Electronically Issued Only)

03/15/2021



Notice

Filed By: Defendant Western Progressive-Nevada Inc

[145] Notice of Amendment to Declaration of Non-Monetary Status of Defendant Western Progressive-Nevada, Inc. [NRS 107.029]

03/18/2021



Notice of Change of Hearing

[146] Notice of Change of Hearing

03/18/2021



Notice of Change of Hearing

[147] Amended Notice of Change of Hearing

03/18/2021



Affidavit of Service

Filed By: Counter Defendant Armstrong, Tyrone Keith

[148] Affidavit of Service

CASE SUMMARY

CASE NO. A-19-796941-C

03/18/2021	 Declaration Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[149] Declaration of Tyrone Keith Armstrong in Support of Due Diligence re: Medical Records</i>
03/26/2021	 Answer to Counterclaim Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[150] Plaintiff's Answer to Defendant U.S. Bank's Counterclaim to Plaintiff's First Amended Complaint</i>
04/01/2021	 Declaration Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[151] Declaration of Tyrone Keith Armstrong re: Due Diligence in Support of Medical Records; and Subpoena Return from First American Title Insurance Company</i>
04/05/2021	 Motion for Partial Summary Judgment Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[152] Plaintiff's Amended Motion for Partial Summary Judgment Vol. 1; Hearing Requested</i>
04/05/2021	 Motion for Partial Summary Judgment Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[153] Plaintiff's Amended Motion for Partial Summary Judgment Vol. 2 Plaintiff's Documents</i>
04/05/2021	 Request for Judicial Notice Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[154] Request for Judicial Notice in Support of Plaintiff's Amended Motion for Partial Summary Judgment; Hearing Requested</i>
04/05/2021	 Clerk's Notice of Hearing <i>[155] Notice of Hearing</i>
04/05/2021	 Ex Parte Application Party: Counter Defendant Armstrong, Tyrone Keith <i>[156] Ex Parte Application for an Order Shortening Time on Plaintiff's Amended Motion for Partial Summary Judgment Vol. 1</i>
04/12/2021	 Notice of Rescheduling of Hearing <i>[157] Notice of Rescheduling Hearing</i>
04/14/2021	 Opposition to Motion Filed By: Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc <i>[158] Opposition to Plaintiff's Motion and Amended Motion for Partial Summary Judgment; Counter-Motion for Summary Judgment</i>
04/14/2021	 Response Filed by: Counter Claimant US Bank National Association <i>[159] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Response to Plaintiff's October 20, 2020 Motion for Partial Summary Judgment; and Joinder to PHH/Ocwen Opposition to Plaintiff's Motion and Amended Motion for Partial Summary Judgment; Countermotion for Summary Judgment</i>
04/15/2021	 Filing Fee Remittance Filed By: Counter Claimant US Bank National Association

CASE SUMMARY

CASE NO. A-19-796941-C

[160] Filing Fee Remittance

04/19/2021



Opposition to Motion For Summary Judgment

Filed By: Counter Claimant US Bank National Association

[161] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Amended Motion for Partial Summary Judgment; and Countermotion for Summary Judgment

04/19/2021



Appendix

Filed By: Counter Claimant US Bank National Association

[162] Appendix to U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Amended Motion for Partial Summary Judgment; and Countermotion for Summary Judgment

04/19/2021



Joinder

Filed By: Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation

[163] 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

04/19/2021



Discovery Commissioners Report and Recommendations

Filed By: Counter Claimant US Bank National Association

[164] Discovery Commissioner's Report and Recommendations

04/19/2021



Discovery Commissioners Report and Recommendations

[165] Discovery Commissioner's Report and Recommendations

04/23/2021



Ex Parte Application

Party: Counter Defendant Armstrong, Tyrone Keith

[166] Plaintiff's Ex Parte Application to Take Leave to File Omnibus Motion/Response/Opposition/Reply re: Partial Summary Judgment

04/27/2021



Subpoena Electronically Issued

Filed by: Counter Defendant Armstrong, Tyrone Keith

[167] Subpoena Duces Tecum (Electronically Issued Only)

04/30/2021



Affidavit of Service

Filed By: Counter Defendant Armstrong, Tyrone Keith

[168] Affidavit of Service

05/03/2021



Notice of Change of Hearing

[169] Notice of Change of Hearing

05/03/2021



Notice of Change of Hearing

[170] Amended Notice of Change of Hearing

05/03/2021



Ex Parte Application

Party: Counter Defendant Armstrong, Tyrone Keith

[171] Plaintiff's Ex Parte Application for an Extension of Time to Submit Reply to Defendants' Oppositions to Plaintiff's Amended Motion for Partial Summary Judgment, and Opposition to Defendants' Countermotions for Summary Judgment

05/06/2021



Order

[172] Order re. Discovery Commissioner's Report and Recommendations

CASE SUMMARY












CASE NO. A-19-796941-C

05/06/2021	 Order <i>[173] Order re. Discovery Commissioner's Report and Recommendations</i>
05/10/2021	 Motion for Protective Order Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[174] Plaintiff's Motion for Protective Order; EDCR 2.34 Certification; Discovery Hearing Requested</i>
05/11/2021	 Clerk's Notice of Hearing <i>[175] Notice of Hearing</i>
05/11/2021	 Supplement Filed by: Counter Claimant US Bank National Association <i>[176] Supplement to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Amended Motion for Partial Summary Judgment; and Countermotion for Summary Judgment</i>
05/12/2021	 Reply to Opposition Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[177] Reply to Defendant U.S. Bank's Opposition to Plaintiff's Amended Motion for Partial Summary Judgment; and Opposition to Defendant's Countermotion for Summary Judgment</i>
05/12/2021	 Reply to Opposition Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[178] Reply to Defendant Ocwen, PHH and Westerns' Opposition to Plaintiff's Amended Motion for Partial Summary Judgment; and Opposition to Defendants' Countermotion for Summary Judgment</i>
05/12/2021	 Declaration Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[179] Declaration of Tyrone Keith Armstrong in Support of Amended Motion for Partial Summary Judgment</i>
05/17/2021	 Discovery Commissioners Report and Recommendations <i>[180] Discovery Commissioner's Report and Recommendations</i>
05/19/2021	 Reply in Support Filed By: Counter Claimant US Bank National Association <i>[181] 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 Countermotion for Summary Judgment</i>
05/19/2021	 Joinder Filed By: Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc <i>[182] 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</i>
05/21/2021	 Supplemental Filed by: Counter Claimant US Bank National Association <i>[183] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Supplemental Reply in</i>

CASE SUMMARY











CASE NO. A-19-796941-C

Support of Countermotion for Summary Judgment

05/24/2021	 Opposition to Motion For Protective Order Filed By: Counter Claimant US Bank National Association <i>[184] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Motion for Protective Order; Before the Discovery Commissioner</i>
05/24/2021	 Declaration Filed By: Counter Claimant US Bank National Association <i>[185] Declaration of Kevin M. Sutehall in Support of Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Motion for Protective Order; Before the Discovery Commissioner</i>
05/29/2021	 Supplemental Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[186] Plaintiff's Supplemental Reply in Support of Motion for Partial Summary Judgment</i>
05/31/2021	 Reply to Opposition Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[187] Reply to Defendant U.S. Bank's Opposition to Plaintiff's Motion for Protective Order</i>
06/02/2021	 Motion for Protective Order Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[188] Plaintiff's Motion for Protective Order; EDCR 2.34 Certification; Discovery Hearing Requested</i>
06/02/2021	 Notice Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[189] Notice of Objection re: Deposition Testimony of Trina Reynolds and Bank of America NRCF 30(b)(6) Representative</i>
06/02/2021	 Order <i>[190] Order re. Discovery Commissioner's Report and Recommendations</i>
06/02/2021	 Clerk's Notice of Hearing <i>[191] Notice of Hearing</i>
06/03/2021	 Notice of Withdrawal of Attorney Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[192] Notice of Withdrawal of Attorney</i>
06/16/2021	 Opposition to Motion For Protective Order Filed By: Counter Claimant US Bank National Association <i>[194] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Motion for Protective Order; Before the Discovery Commissioner</i>
06/16/2021	 Declaration Filed By: Counter Claimant US Bank National Association <i>[195] Declaration of Kevin M. Sutehall in Support of Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Motion for Protective Order; Before the Discovery Commissioner</i>

CASE SUMMARY

CASE NO. A-19-796941-C

06/16/2021	 Supplemental Points and Authorities Filed by: Counter Claimant US Bank National Association <i>[196] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Supplemental Points and Authorities to Countermotion for Summary Judgment</i>
06/16/2021	 Supplemental Points and Authorities Filed by: Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc <i>[197] Supplemental Brief Regarding Statues 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</i>
06/20/2021	 Motion for Protective Order Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[198] Plaintiff's Re-Noticed Motion for Protective Order re: Deposition Testimony of Trina Reynolds; EDCR 2.34 Certification; Discovery Hearing Requested</i>
06/21/2021	 Clerk's Notice of Hearing <i>[199] Notice of Hearing</i>
06/24/2021	 Objection to Discovery Commissioners Report and Recommend Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[200] Objection to the Discovery Commissioner's Report and Recommendations of May 21, 2021; or Alternatively Motion to Amend; EDCR 2.34 Certification; Discovery Hearing Requested</i>
06/30/2021	 Supplemental Points and Authorities Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[201] Plaintiff's Supplemental Points and Authorities re: Statute of Limitations in Support of Motion for Partial Summary Judgment</i>
07/06/2021	 Opposition to Motion For Protective Order Filed By: Counter Claimant US Bank National Association <i>[202] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Re-Noticed Motion for Protective Order re: Deposition Testimony of Trina Reynolds; Before the Discovery Commissioner</i>
07/06/2021	 Declaration Filed By: Counter Claimant US Bank National Association <i>[203] Declaration of Kevin M. Sutehall in Support of Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Re-Noticed Motion for Protective Order Re: Deposition Testimony of Trina Reynolds; Before the Discovery Commissioner</i>
07/08/2021	 Response Filed by: Counter Claimant US Bank National Association <i>[204] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Response to Plaintiff's Objection to the Discovery Commissioner's Report and Recommendations of May 21, 2021, or Alternatively Motion to Amend</i>
07/08/2021	 Declaration Filed By: Counter Claimant US Bank National Association <i>[205] Declaration of Kevin M. Sutehall in Support of Defendant U.S. Bank National</i>

CASE SUMMARY

CASE NO. A-19-796941-C

Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Response to Plaintiff's Objection to the Discovery Commissioner's Report and Recommendations of May 21, 2021, or Alternatively Motion to Amend

07/13/2021



Reply in Support

Filed By: Counter Claimant US Bank National Association
[206] 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 its Countermotion for Summary Judgment

07/13/2021



Reply in Support

Filed By: Defendant Ocwen Loan Servicing LLC; Defendant PHH Mortgage Corporation; Defendant Western Progressive-Nevada Inc
[207] 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

07/16/2021



Supplemental Brief

Filed By: Counter Claimant US Bank National Association
[208] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Supplemental Briefing Concerning Fees and Costs Incurred in Relation to Its Opposition to Plaintiff's Motion for Protective Order; Before the Discovery Commissioner

07/20/2021



Discovery Commissioners Report and Recommendations

[209] Discovery Commissioner's Amended Report and Recommendations

07/20/2021



Order

[210] Order re: Discovery Commissioner's Amended Report and Recommendations

07/20/2021



Reply to Opposition

Filed by: Counter Defendant Armstrong, Tyrone Keith
[211] Reply to Defendant U.S. Bank's Opposition to Plaintiff's re-Noticed Motion for Protective Order re: Deposition Testimony of Trina Reynolds

07/20/2021



Reply to Opposition

Filed by: Counter Defendant Armstrong, Tyrone Keith
[212] Reply to Defendant U.S. Bank's Response to Plaintiff's Objection to the DCR&R of May 21, 2021

07/23/2021



Response

Filed by: Counter Defendant Armstrong, Tyrone Keith
[213] Response to Defendant U.S. Bank's Supplemental Briefing Concerning Fees and Costs

07/29/2021



Discovery Commissioners Report and Recommendations

Filed By: Counter Claimant US Bank National Association
[214] Discovery Commissioner's Report and Recommendations

08/03/2021



Recorders Transcript of Hearing

[215] Transcript of Hearing Held on July 28, 2021

08/16/2021



Order

Filed By: Counter Claimant US Bank National Association

CASE SUMMARY

CASE NO. A-19-796941-C

	<i>[216] Order re. Discovery Commissioner's Report and Recommendations</i>
08/24/2021	 Discovery Commissioners Report and Recommendations <i>[217] Discovery Commissioner's Report and Recommendations</i>
08/25/2021	 Order Granting Summary Judgment <i>[218] Order Denying Plaintiff's Amended Motion for Partial Summary Judgment and Granting Defendants' Countermotions for Summary Judgment of Statutes of Limitations Grounds</i>
08/26/2021	 Notice of Entry of Order Filed By: Counter Claimant US Bank National Association <i>[219] Notice of Entry of Order Denying Plaintiff's Amended Motion for Partial Summary Judgment and Granting Defendants' Countermotions for Summary Judgment of Statutes of Limitations Grounds</i>
09/10/2021	 Order Filed By: Counter Claimant US Bank National Association <i>[220] Order re: Discovery Commissioner's Report and Recommendations</i>
09/15/2021	 Notice of Appeal Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[221] Notice of Appeal</i>
09/15/2021	 Request Filed by: Counter Defendant Armstrong, Tyrone Keith <i>[222] Request for Transcripts of Proceedings</i>
09/15/2021	 Notice of Posting of Cost Bond Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[223] Notice of Posting and Acceptance of Cost/Supersedeas Bond on Appeal</i>
09/15/2021	 Motion to Stay Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[224] Motion and Notice of Motion to Stay Judgment Pending Appeal Pursuant to NRCP 62(d)(1) and NRAP 7</i>
09/16/2021	 Clerk's Notice of Hearing <i>[225] Notice of Hearing</i>
09/16/2021	 Ex Parte Application Party: Counter Defendant Armstrong, Tyrone Keith <i>[226] Ex Parte Application for an Order Shortening Time on Motion and Notice of Motion to Stay Judgment Pending Appeal Pursuant to NRCP 62(d)(1) and NRAP 7</i>
09/17/2021	 Clerk's Notice of Hearing <i>[227] Notice of Hearing</i>
09/21/2021	 Case Appeal Statement Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[228] Case Appeal Statement</i>
09/21/2021	 Motion to Cancel Lis Pendens <i>[229] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion to Cancel Lis</i>

CASE SUMMARY

CASE NO. A-19-796941-C

Pendens Pursuant to NRS 14.015 on Order Shortening Time; Hearing Requested

09/21/2021



Ex Parte Application

[230] Ex Parte Application for an Order Shortening Time on Motion and Notice of Motion to Stay Judgment Pending Appeal Pursuant to NRCP 62(d)(1) and NRAP 7

09/21/2021



Joinder

Filed By: Defendant Ocwen Loan Servicing LLC; Defendant Western Progressive-Nevada Inc

[231] Joinder to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion to Cancel Lis Pendens Pursuant to NRS 14.015 on Order Shortening Time

09/29/2021



Opposition to Motion

Filed By: Counter Claimant US Bank National Association

[232] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Motion to Stay Judgment Pending Appeal Pursuant to NRCP 62(d)(1) and NRAP 7

09/29/2021



Declaration

Filed By: Counter Claimant US Bank National Association

[233] Declaration of Kevin M. Sutehall in Support of Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Motion to Stay Judgment Pending Appeal Pursuant to NRCP 62(d)(1) and NRAP 7

09/29/2021



Joinder

Filed By: Defendant Ocwen Loan Servicing LLC; Defendant Western Progressive-Nevada Inc

[234] Joinder to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Opposition to Plaintiff's Motion to Stay Judgment Pending Appeal to NRCP 62(d)(1) and NRAP 7

09/30/2021



Opposition to Motion

Filed By: Counter Defendant Armstrong, Tyrone Keith

[235] Opposition to Defendants' Motion to Cancel Lis Pendens Pursuant to NRS 14.015

10/05/2021



Notice of Rescheduling

[236] Notice of Rescheduling of Hearing and Telephonic Appearance

10/07/2021



Reply in Support

Filed By: Counter Claimant US Bank National Association

[237] 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 Motion to Cancel Lis Pendens Pursuant to NRS 14.015 on Order Shortening Time

10/07/2021



Joinder To Motion

Filed By: Defendant Ocwen Loan Servicing LLC; Defendant Western Progressive-Nevada Inc

[238] Joinder to U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificate, Series 2007-BC3's Reply in Support of its Motion to Cancel Lis Pendens Pursuant to NRS 14.015 on Order Shortening Time

10/10/2021


















Reply to Opposition

Filed by: Counter Defendant Armstrong, Tyrone Keith

[239] Reply to Defendants' Opposition to Plaintiff's Motion to Stay

CASE SUMMARY

CASE NO. A-19-796941-C

10/11/2021	 Recorders Transcript of Hearing <i>[240] Recorder's Transcript of Pending Motions - Wednesday, June 2, 2021</i>
11/17/2021	 Order Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[241] Order Re: Granting Plaintiff's Motion to Stay; Denying Defendant's Request to Increase Bond on Appeal; And Pass the Cancellation of Lis Pendens Pending Appeal</i>
11/17/2021	 Notice of Entry of Order Filed By: Counter Defendant Armstrong, Tyrone Keith <i>[242] Notice of Entry of Order</i>
06/07/2022	 Clerk's Refund Request <i>[243] US Bank National Association</i>
06/09/2022	 Filing Fee Remittance Filed By: Defendant Ocwen Loan Servicing LLC <i>[244] Filing Fee Remittance</i>
08/30/2022	 Notice of Hearing <i>[245] Notice of Hearing</i>
09/07/2022	 NV Supreme Court Clerks Certificate/Judgment - Affd/Rev Part <i>[246] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed in Part, Reversed in Part and Remand</i>
09/07/2022	 Motion to Associate Counsel Filed By: Counter Claimant US Bank National Association <i>[247] Defendant's Motion to Associate Counsel John Lewis Grossman</i>
09/10/2022	 Clerk's Notice of Hearing Party: Counter Claimant US Bank National Association <i>[248] Notice of Hearing</i>
10/27/2022	 Order Granting Motion <i>[249] Order Granting Motion to Associate Counsel</i>
10/28/2022	 Notice of Entry of Order Filed By: Counter Claimant US Bank National Association <i>[250] Notice of Entry of Order Granting Motion to Associate Counsel John Lewis Grossman</i>
11/14/2022	 Motion for Summary Judgment Filed By: Defendant Ocwen Loan Servicing LLC <i>[251] Motion of PHH for Summary Judgment; Memorandum of Points and Authorities; Supporting Declarations</i>
12/07/2022	 Clerk's Notice of Nonconforming Document <i>[252] Clerks Notice of Nonconforming Document</i>
12/19/2022	 Clerk's Notice of Nonconforming Document and Curative Action <i>[253] Clerk's Notice of Nonconforming and Curative Action</i>
12/19/2022	 Clerk's Notice of Hearing

CASE SUMMARY

CASE NO. A-19-796941-C

[254] Notice of Hearing

01/03/2023

Case Reassigned to Department 7

Pursuant to Administrative Order 22-14 - Active MedMal Case Replacement

01/17/2023



Motion for Summary Judgment

Filed By: Counter Claimant US Bank National Association

[255] Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion for Summary Judgment

01/17/2023



Appendix

Filed By: Counter Claimant US Bank National Association

[256] Appendix of Exhibits to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion for Summary Judgment

01/17/2023



Joinder to Motion For Summary Judgment

Filed By: Counter Claimant US Bank National Association

[257] Joinder to Defendants PHH Mortgage Corporation for itself and as Successor to Ocwen Loan Services, LLC's Motion for Summary Judgment

01/17/2023



Joinder to Motion For Summary Judgment

Filed By: Defendant Ocwen Loan Servicing LLC

[258] Joinder to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion for Summary Judgment

03/14/2023



Opposition and Countermotion

Filed By: Counter Defendant Armstrong, Tyrone Keith

[259] Plaintiff's Opposition to Defendant Owen's Motion for Summary Judgment; and Plaintiff's Countermotion for Summary Judgment

03/14/2023



Opposition and Countermotion

Filed By: Counter Defendant Armstrong, Tyrone Keith

[260] Plaintiff's Opposition to Defendant U.S. Bank's Motion for Summary Judgment; and Plaintiff's Countermotion for Summary Judgment

03/20/2023

Administrative Reassignment - Judicial Officer Change

Pursuant to Administrative Order 23-03 - Reassigned to Judge Danielle Chio

03/20/2023



Notice of Rescheduling of Hearing

[261] Notice of Rescheduling Hearing

03/29/2023



Stipulation and Order to Modify

Filed By: Counter Claimant US Bank National Association

[262] Stipulation and Order to Modify Briefing Schedule on Defendants' Motions for Summary Judgment

04/25/2023



Reply in Support

Filed By: Defendant Ocwen Loan Servicing LLC

[263] Reply to Plaintiff's Opposition to Motion for Summary Judgment by Defendant PHH/Ocwen; and Opposition to Plaintiff's Late Counter-Motion for Summary Judgment

04/25/2023



Notice

Filed By: Defendant Ocwen Loan Servicing LLC

[264] Notice of Intent to Appear by Simultaneous Audiovisual Transmission Equipment

CASE SUMMARY

CASE NO. A-19-796941-C

04/25/2023



Reply in Support

Filed By: Counter Claimant US Bank National Association
[265] 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 Motion for Summary Judgment; and Opposition to Plaintiff's Countermotion for Summary Judgment

04/25/2023



Declaration

Filed By: Counter Claimant US Bank National Association
[266] Declaration of Kevin M. Sutehall in Support of 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 Motion for Summary Judgment; and Opposition to Plaintiff's Countermotion for Summary Judgment

04/25/2023



Joinder

Filed By: Defendant Ocwen Loan Servicing LLC
[267] Notice of Joinder to Defendant U.S. Bank National Association, as Trustee's Reply in Support of its Motion for Summary Judgment; and Opposition to Plaintiff's Countermotion for Summary Judgment

04/25/2023



Joinder

Filed By: Counter Claimant US Bank National Association
[268] Joinder to Reply to Plaintiff's Opposition to Motion for Summary Judgment by Defendant PHH/Ocwen; and Opposition to Plaintiff's Late Counter-Motion for Summary Judgment

05/17/2023



Ex Parte Application

Party: Counter Defendant Armstrong, Tyrone Keith
[269] Ex Parte Application for an Order to Appear by Electronic Means

06/02/2023



Order Granting Summary Judgment

[270] Order (1) Granting Defendant U.S. Banks National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion for Summary Judgment; (2) Granting Defendant PHH Mortgage Corporation, for Itself and as Successor to Ocwen Loan Servicing, LLC's Motion for Summary Judgment; and (3) Denying Plaintiff Tyrone Keith Armstrong's Counter-Motions for Summary Judgment

06/05/2023



Notice of Entry of Order

Filed By: Counter Claimant US Bank National Association
[271] Notice of Entry of Order

06/16/2023



Notice of Withdrawal

Filed by: Counter Defendant Armstrong, Tyrone Keith
[272] Notice of Withdrawal as Counsel of Record

06/28/2023



Order to Statistically Close Case

[273] Civil Order to Statistically Close Case

07/01/2023



Notice of Appeal

Filed By: Counter Defendant Armstrong, Tyrone Keith
[274] Notice of Appeal

07/01/2023



Motion for Leave to Proceed in Forma Pauperis

Filed By: Counter Defendant Armstrong, Tyrone Keith
[275] Application to Proceed in forma Pauperis

CASE SUMMARY

CASE NO. A-19-796941-C

07/05/2023



Case Appeal Statement

Case Appeal Statement

DISPOSITIONS

04/23/2020

Order of Dismissal Without Prejudice (Judicial Officer: Holthus, Mary Kay)

Debtors: BNC Mortgage Inc (Defendant)

Creditors: Tyrone Keith Armstrong (Plaintiff)

Judgment: 04/23/2020, Docketed: 04/24/2020

08/16/2021

Order (Judicial Officer: Holthus, Mary Kay)

Debtors: Tyrone Keith Armstrong (Plaintiff)

Creditors: US Bank National Association (Defendant)

Judgment: 08/16/2021, Docketed: 08/17/2021

Total Judgment: 4,560.00

08/25/2021

Summary Judgment (Judicial Officer: Holthus, Mary Kay)

Debtors: Tyrone Keith Armstrong (Plaintiff)

Creditors: US Bank National Association (Defendant), PHH Mortgage Corporation (Defendant)

Judgment: 08/25/2021, Docketed: 08/26/2021

08/25/2021

Order of Dismissal With Prejudice (Judicial Officer: Holthus, Mary Kay)

Debtors: Tyrone Keith Armstrong (Plaintiff)

Creditors: US Bank National Association (Defendant), PHH Mortgage Corporation (Defendant)

Judgment: 08/25/2021, Docketed: 08/26/2021

09/07/2022

Clerk's Certificate (Judicial Officer: Holthus, Mary Kay)

Debtors: Tyrone Keith Armstrong (Counter Defendant, Plaintiff)

Creditors: US Bank National Association (Defendant, Counter Claimant), Ocwen Loan Servicing LLC (Defendant), Western Progressive-Nevada Inc (Defendant)

Judgment: 09/07/2022, Docketed: 09/07/2022

Comment: Supreme Court No 83545 - Affirmed in Part

Debtors: US Bank National Association (Defendant, Counter Claimant), Ocwen Loan Servicing LLC (Defendant), Western Progressive-Nevada Inc (Defendant)

Creditors: Tyrone Keith Armstrong (Counter Defendant, Plaintiff)

Judgment: 09/07/2022, Docketed: 09/07/2022

Comment: Supreme Court No 83545 Reversed and Remanded in Part

06/02/2023

Summary Judgment (Judicial Officer: Chio, Danielle)

Debtors: Tyrone Keith Armstrong (Plaintiff)

Creditors: US Bank National Association (Defendant), PHH Mortgage Corporation (Defendant)

Judgment: 06/02/2023, Docketed: 06/07/2023

HEARINGS

07/10/2019



Motion for Temporary Restraining Order (9:00 AM) (Judicial Officer: Holthus, Mary Kay)

07/10/2019, 07/31/2019, 07/31/2019

MOTION FOR TPO

Granted;

Matter Continued;

Matter Heard;

Journal Entry Details:

Jeffery Allison, Esq. present for Deft. via Conference Call. Edward Vargas, Esq. present on behalf of Deft. Court advised Mr. Allison it placed the instant matter on calendar to figure out what was going on. Mr. Allison indicated they did not receive notice of the instant hearings. Court inquired if Mr. Allison had looked into the instant case at all. Mr. Allison advised there wasn't a foreclosure sale going forward and sale was on hold; therefore, as long as there was a hold nothing would take place. Colloquy between parties regarding facts of case. Court noted Mr. Armstrong stated the loan was paid in full a couple of years ago. Statements by Mr. Allison. Mr. Vargas advised Mr. Allison to follow the money and see who was making

CASE SUMMARY

CASE NO. A-19-796941-C

payments. Upon Court's inquiry, Mr. Allison indicated there was a Motion to Dismiss on for September 4, 2019; however, he had a conflict with date and would be requesting that Motion continued to the following week. COURT SO ORDERED. Court advised Mr. Allison to get any documents for Plaintiff to pursue information ahead of time. Mr. Allison requested that Plaintiff provide any documentation to show this might be fraud or identity theft, and include any conclusions that had been reached. Mr. Vargas indicated Deft. had police report, IRS identity theft claim and a claim with North Las Vegas Police Report. Mr. Vargas indicated he would send documents over. COURT DIRECTED Mr. Allison to take a look at the original note, where funds were released and who was making payments. COURT FURTHER ORDERED, Exparte Motion for a Temporary Restraining Order was hereby VACATED and Motion to Dismiss was continued. Parties agreed that order would be sufficient as opposes to an Order. 9/25/19 9:00 AM MOTION TO DISMISS;

Granted;

Matter Continued;

Matter Heard;

Journal Entry Details:

Edward Vargas, Esq. present on for Plaintiff. Court noted there was no need for the Temporary Restraining Order (TPO) because there was no foreclosure sale. Statements by Mr. Vargas regarding foreclosure sale. Court indicated it couldn't do anything about it; however, if they tried anything again parties would have to come back and the Court would proceed accordingly. Colloquy between parties regarding case facts. Following colloquy, Ramin Zabeti spoke on behalf of Mr. Armstrong stating it appears the bank had something that resembles Mr. Armstrong's signature and driver's license which was used on loan documents. Statements by Mr. Vargas indicating fraud. Court noted MATTER TRAILED to look into getting the bank on the phone. MATTER RECALLED. Same parties present. Law Clerk advised parties the District Attorney's Office had been contacted, and noted the bank was located in California; however, they would be able to appear by phone that afternoon at 2:30 pm. COURT ORDERED, matter CONTINUED until the afternoon. 7/31/19 2:30 PM CONTINUED: MOTION FOR TPO;

Granted;

Matter Continued;

Matter Heard;

Journal Entry Details:

Ramin Zaeeti present on behalf of Tyrone Armstrong. Court noted it was concerned that no one from the bank would show up; further indicating the affidavit of service was filed on July 2, 2019 and the Bank filed a Motion last night, July 9, 2019. Mr. Zaeeti noted they had filed a document and served. Court inquired if Mr. Armstrong has spoke with the Bank, because the Court believed someone with the same name received a second mortgage on Mr. Armstrong's house and the Court didn't know how that could be fixed. Court noted it would keep Temporary Restraining Order (TRO) in effect; further noted, the bank filed the Motion last night, July 9, 2019 and they canceled the scheduled foreclosure sale. COURT ORDERED, matter CONTINUED for 30 days. Court noted it seemed as though there was a typo and it would try to get someone from the bank to be present. Mr. Armstrong requested an order to serve someone. Court noted it appears service had been effective; therefore, the bank had until July 23, 2019 to answer Complaint as long as they stop the sale. 7/31/19 9:00 AM CONTINUED: MOTION FOR TEMPORARY RESTRAINING ORDER;

08/07/2019

CANCELED Motion for Temporary Restraining Order (9:00 AM) (Judicial Officer: Holthus, Mary Kay)

Vacated - Previously Decided

Ex Parte Motion for A Temporary Restraining Order; or Alternatively for An Order to Show Cause

10/01/2019



Minute Order (4:20 PM) (Judicial Officer: Holthus, Mary Kay)

Minute Order - No Hearing Held;




Journal Entry Details:

This COURT FINDS, Defendant BNC Mortgage, Inc., filed a Notice of Bankruptcy on September 20, 2019. Therefore, pursuant to 11 U.S.C. 362(a)(1) and (362)(a)(3) of the Bankruptcy Code, the filing of the Notice of Bankruptcy operates as a Stay of the commencement or continuation of a judicial, administrative, or other action or proceeding against the debtor. Therefore, COURT ORDERS, any action against Defendant BNC Mortgage, Inc. is stayed and Plaintiff's Motion Prove-Up Hearing against Defendant BNC Mortgage, Inc., having been scheduled before this Court on October 23, 2019, is hereby vacated. CLERK'S NOTE: The above minute order has been distributed to: Colt B. Dodrill, Esq. - cbdodrill@wolfewyman.com and Keith Armstrong, Proper Person-

CASE SUMMARY

CASE NO. A-19-796941-C

performanceoneautomotive@gmail.com //10-1-19/ dy ;

10/23/2019	CANCELED Motion for Prove Up (9:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Vacated - Duplicate Entry</i> <i>Notice of Hearing of Prove Up</i>
10/23/2019	CANCELED Motion for Prove Up (9:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Vacated</i> <i>Prove-up for Default Judgment Against BNC Mortgage, Inc.</i>
11/13/2019	Motion to Dismiss (9:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Notice of Motion and Motion to Dismiss Complaint; Request for Judicial Notice</i> Denied;
11/13/2019	Opposition and Countermotion (9:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Plaintiff's Opposition to Motion to Dismiss and Countermotion for Summary Judgment; or Alternatively Motion for Continuance Under NRCP 56(d)</i> Denied;
11/13/2019	Motion to Strike (9:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Plaintiff's Motion to Strike Defendant US Bank's Reply Filed on November 6, 2019; and Ex Parte Motion for an Order Shortening Time</i> Denied;
11/13/2019	 All Pending Motions (9:00 AM) (Judicial Officer: Holthus, Mary Kay) Matter Heard; Journal Entry Details: <i>Ed Vargas, Esq. present for Plaintiff in limited capacity. NOTICE OF MOTION AND MOTION TO DISMISS COMPLAINT; REQUEST FOR JUDICIAL NOTICE...PLAINTIFF'S OPPOSITION TO MOTION TO DISMISS AND COUNTERMOTION FOR SUMMARY JUDGMENT; OR ALTERNATIVELY MOTION FOR CONTINUANCE UNDER NRCP 56 (d)...PLAINTIFF'S MOTION TO STRIKE DEFENDANT US BANK'S REPLY FILED ON November 6, 2019; AND EX PARTE MOTION FOR AN ORDER SHORTENING TIME</i> <i>Statements by Mr. Vargas. Court noted the instant case was disturbing; additionally, it didn't know what more Mr. Armstrong could do with the claims being ongoing for some time, and still the question of where the funds went. Arguments by Mr. Sutehall. Arguments by Mr. Allison. Court noted it was looking for the original note, payout or any documents. Following colloquy, COURT ORDERED, Notice of Motion and Motion to Dismiss Complaint; Request For Judicial Notice was hereby DENIED; Plaintiff's Opposition to Motion to Dismiss and Countermotion For Summary Judgment; Or Alternatively Motion For Continuance Under NRCP 56(d) was hereby DENIED; and Plaintiff's Motion To Strike Defendant Us Bank's Reply Filed On November 6, 2019; and Ex Parte Motion For An Order Shortening Time was hereby DENIED. Court FINDS more discovery needed to be completed. Parties to prepare their respective Orders and submit to opposing counsel for approval as to form and content. CLERK'S NOTE: The above minute order has been distributed to: Tyrone Armstrong (nevadastateliens@aol.com), Jeffrey Allison, Esq. (jallison@houser-law.com), and Kevin Sutehall, Esq. (ksutehall@foxrothschild.com) //11-18-19/ dy;</i>
04/15/2020	 Mandatory Rule 16 Conference (9:00 AM) (Judicial Officer: Holthus, Mary Kay) Matter Heard; Journal Entry Details: <i>Tyrone Armstrong, Plaintiff, Jeffrey Allison, Esq, and Kevin Sutehall, Esq. present via Court Call. Mr. Sutehall indicated Plaintiff wasn't disclosing damages until the middle of October 2020. Court referred parties to Judge Wiese's Department; further, advised parties to contact Department 30 to set up a settlement conference if needed. COURT ORDERED, discovery cutoff is January 7, 2021; adding parties, amended pleadings, and initial expert disclosures DUE October 8, 2020; rebuttal expert disclosures DUE November 6, 2020; dispositive motions TO BE FILED BY February 5, 2021, trial ready date April 5, 2021. 6/16/21 9:00 AM CALENDAR CALL 6/28/21 1:00 PM BENCH TRIAL ;</i>
10/21/2020	 Motion for Discovery (10:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>to extend discovery deadlines on OST</i>

CASE SUMMARY

CASE NO. A-19-796941-C

Granted;

Journal Entry Details:

Tyrone Armstrong, Jeffrey Allison, Esq and Kevin Sutehall, Esq. present via Bluejeans video conference. Colloquy between parties. Arguments by Mr. Sutehall. Court noted trials were likely to be moved in time; therefore, ORDERED, Motion to Extend Discovery Deadlines on OST were hereby GRANTED due to COVID-19. Mr. Armstrong agreed to more time; however, requested that the Court lock counsel into a firm date. Arguments by Mr. Sutehall and Mr. Allison. Colloquy between parties regarding trial dates. Following colloquy, Court indicated it would leave dates in place with the understanding they would try to get to it. COURT FURTHER ORDERED, discovery cutoff is April 8, 2021; adding parties, amended pleadings, and initial expert disclosures DUE January 8, 2021; rebuttal expert disclosures DUE February 8, 2021; dispositive motions TO BE FILED BY May 7, 2021. COURT FURTHER ORDERED, trial date STANDS. Mr. Sutehall to prepare the Order and submit for approval as to form and content. Court inquired if Mr. Armstrong was able to get an attorney through Pro Bono, which he indicated he wasn't. 6/16/21 9:00 AM CALENDAR CALL 6/28/21 1:00 PM JURY TRIAL;

11/24/2020

CANCELED Motion for Leave (9:00 AM) (Judicial Officer: Truman, Erin)

Vacated

Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-B3's Motion for Leave to Issue Subpoenas Duces Tecum Pursuant to NRCP 45 and Administrative Order 20-17

11/24/2020



Motion for Protective Order (9:00 AM) (Judicial Officer: Truman, Erin)

Objection to Defendant U.S. Bank's Motion to Issue Subpoena Duces Tecum and Plaintiff's Motion for a Protective Order

Granted in Part; Objection to Defendant U.S. Bank's Motion to Issue Subpoena Duces Tecum and Plaintiff's Motion for a Protective Order

Journal Entry Details:

Mr. Armstrong stated the 2004 loan was satisfied in 2016. Argument by Mr. Armstrong. If Commissioner grants the Subpoena, can it be limited or tailored? Mr. Sutehall stated Plaintiff's Motion for Protective Order was untimely, and Mr. Armstrong opposed many forms of discovery, and a discovery continuance. Mr. Sutehall provided a history of the case; this Motion concerns a 2004 loan, and Plaintiff claims the 2004 loan was settled or satisfied on 10-26-2016, but Plaintiff failed to provide documents. Mr. Sutehall asked for documentation on the 2004 loan. Nothing further from Mr. Allison. COMMISSIONER RECOMMENDED, motion is GRANTED IN PART and DENIED IN PART; alternative relief provided; Deft will Subpoena bank records from 2007 and 2016 from the entities requested; Plaintiff is allowed 30 days to obtain copies of all payments, checks to Bank of America regarding the 2004 loan; anything in bank records for BAC and Bank of America regarding the loan at issue. If Plaintiff has not provided the documents within 30 days, Commissioner may allow additional bank records to Deft. COMMISSIONER RECOMMENDED, Deft will Subpoena tax records, and utility providers to see who paid them; within 14 days, Mr. Armstrong will provide utilities account numbers for the property at issue, and the parcel number and address. Mr. Sutehall requested homeowner insurance carriers. COMMISSIONER RECOMMENDED, provide policy numbers from all carriers who maintained insurance on the property from 2004 through 2016; if information is not provided, then more bank records may be obtained from the bank. Discovery cutoff is April 2021. COMMISSIONER RECOMMENDED, Plaintiff will provide the information within two weeks, by 12-8-2020; Status Check SET. Commissioner modified the Subpoenas to the banks for January 1st through December 31st for 2007 and 2016. Mr. Sutehall to prepare the Report and Recommendations, and Plaintiff and Mr. Allison to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution. 12-18-2020 9:30 a.m. Status Check: Plaintiff's compliance;

11/24/2020

CANCELED All Pending Motions (9:00 AM) (Judicial Officer: Truman, Erin)

Vacated

12/17/2020



Motion to Compel (9:30 AM) (Judicial Officer: Truman, Erin)

Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-B3's Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong

Denied Without Prejudice;

CASE SUMMARY




CASE NO. A-19-796941-C

12/17/2020	<p>Motion for Protective Order (9:30 AM) (Judicial Officer: Truman, Erin)</p> <p><i>Objection to Defendant U.S. Bank's Motion to Compel NRCP 35 Examination Upon Plaintiff and Motion for Protective Order</i></p> <p>Granted in Part;</p>
12/17/2020	<p> All Pending Motions (9:30 AM) (Judicial Officer: Truman, Erin)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-B3's Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong Objection to Defendant U.S. Bank's Motion to Compel NRCP 35 Examination Upon Plaintiff and Motion for Protective Order Argument by Mr. Sutehall. Mr. Allison deferred to Mr. Sutehall. Mr. Armstrong stated the case is about proof of payment. Argument by Mr. Armstrong. Upon Commissioner's inquiry, Plaintiff stated his brain injury occurred in 2001 from a car accident. Mr. Armstrong has sought treatment since 2001, but Mr. Armstrong invoked the privilege of a doctor and patient relationship. Upon Commissioner's inquiry, Mr. Sutehall has not requested medical records from Plaintiff for five years prior to the signing of documents. Argument by Mr. Sutehall. Mr. Armstrong offered to provide documents today. COMMISSIONER RECOMMENDED, Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-B3's Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong is DENIED WITHOUT PREJUDICE; alternative relief was provided, and Deft will first obtain Plaintiff's medical records from five years prior for mental health and cognitive difficulties; the Motion for a Rule 35 examination can be renewed if the Court extends the dates. COMMISSIONER RECOMMENDED, Status Check SET. COMMISSIONER RECOMMENDED, Objection to Defendant U.S. Bank's Motion to Compel NRCP 35 Examination Upon Plaintiff and Motion for Protective Order is GRANTED IN PART and DENIED IN PART as stated. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Armstrong and Mr. Allison to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution. 1-29-2021 9:30 a.m. Status Check: Medical discovery;</i></p>
12/18/2020	<p> Status Check (9:30 AM) (Judicial Officer: Truman, Erin)</p> <p>12/18/2020, 12/31/2020</p> <p><i>Status Check: Plaintiff's compliance</i></p> <p>Matter Continued; Status Check: Plaintiff's compliance</p> <p>Matter Heard; Status Check: Plaintiff's Compliance</p> <p>Journal Entry Details:</p> <p><i>Argument by Mr. Sutehall and Mr. Armstrong. COMMISSIONER RECOMMENDED, US Bank will Subpoena the records for the relevant timeframe in the prior Report and Recommendation for payments made to the loan; upon Mr. Sutehall's request, Commissioner allowed from the date of the loan through 2017. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Armstrong to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.;</i></p> <p>Matter Continued; Status Check: Plaintiff's compliance</p> <p>Matter Heard; Status Check: Plaintiff's Compliance</p> <p>Journal Entry Details:</p> <p><i>Mr. Sutehall stated Plaintiff complied with the fourth paragraph of the Recommendation, and counsel is waiting for documents from the Subpoena for bank records. Mr. Sutehall stated Plaintiff is claiming he is indigent, he cannot pay the bank copy costs, and he cannot provide documents due to a flood at his house. Argument by Mr. Sutehall; counsel requested proof of payment on the loan. Mr. Sutehall requested to enlarge the Subpoena to provide documents. Commissioner stated the information is not due from Plaintiff until 12-24-2020. COMMISSIONER RECOMMENDED, by 12-24-2020, copies of payments and checks are due from Plaintiff regarding the loan at issue; matter CONTINUED. 12-31-2020 10:00 a.m. Status Check: Plaintiff's compliance CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jennifer Lott, to all registered parties for Odyssey File & Serve. jl ;</i></p>
12/24/2020	<p>CANCELED Status Check: Compliance (3:00 AM) (Judicial Officer: Truman, Erin)</p> <p><i>Vacated</i></p>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-19-796941-C

	<i>Status Check: Compliance / 11-24-2020 DCRR</i>
12/29/2020	<p>CANCELED Motion to Consolidate (9:30 AM) (Judicial Officer: Truman, Erin)</p> <p><i>Vacated</i></p> <p><i>Plaintiff's Motion to Consolidate Hearing Dates</i></p>
01/06/2021	<p> Motion for Leave (10:00 AM) (Judicial Officer: Holthus, Mary Kay)</p> <p><i>Plaintiff's Motion for Leave to File First Amended Complaint</i></p> <p>Granted;</p> <p>Journal Entry Details:</p> <p><i>Tyrone Armstrong, Jeffrey Allison, Esq. and Kevin Sutehall, Esq. present via Bluejeans video conference. Upon Court's inquiry, statements by Mr. Armstrong. Following statements, COURT ORDERED, Plaintiff's Motion for Leave to File First Amended Complaint was hereby GRANTED due to not being technically unopposed. Upon Court's inquiry, arguments by Mr. Sutehall requesting trial date be set later on in the year. Court advised it would give some time; however, would like for parties to think of resetting the trial date and go back to Commissioner Truman and figure out settlement issues. Mr. Armstrong noted there was a Motion pending for Summary Judgment on April 28, 2021. Court advised Mr. Armstrong he may need to amend his Motion. Further statements by Mr. Armstrong. Following colloquy, Court further indicated it would give defense additional time in discovery. Colloquy between parties regarding trial setting. Following colloquy, COURT ORDERED, trial VACATED and RESET. 8/25/21 9:00 AM CALENDAR CALL 9/7/21 1:00 PM JURY TRIAL ;</i></p>
01/28/2021	<p>CANCELED Status Check: Compliance (3:00 AM) (Judicial Officer: Truman, Erin)</p> <p><i>Vacated</i></p> <p><i>Status Check: Compliance / 12-17-2020 DCRR</i></p>
01/29/2021	<p> Status Check (9:30 AM) (Judicial Officer: Truman, Erin)</p> <p><i>Status Check: Medical discovery</i></p> <p>Matter Continued; Status Check: Medical discovery</p> <p>Request of counsel</p> <p>Journal Entry Details:</p> <p><i>Mr. Armstrong stated he provided documents to Defense counsel in accordance with Commissioner's Recommendation. Arguments by Mr. Armstrong and Mr. Sutehall. COMMISSIONER RECOMMENDED, Mr. Armstrong is required to provide HIPAA compliant authorizations within one week from today, by 2-5-2021. Colloquy. Mr. Sutehall will serve Mr. Armstrong by Monday or Tuesday; if authorizations are provided at that time, Plaintiff must return signed provider specific, HIPAA compliant authorizations within one week from the date Mr. Armstrong received it. If there are any objections, bring it to the Court immediately. If authorizations are not signed, Commissioner stated Mr. Sutehall can prepare a Motion to Compel. COMMISSIONER RECOMMENDED, Status Check SET. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Armstrong to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution. 3-5-2021 9:30 a.m. Status Check: Medical discovery / authorizations;</i></p>
02/04/2021	<p>CANCELED Status Check: Compliance (3:00 AM) (Judicial Officer: Truman, Erin)</p> <p><i>Vacated</i></p> <p><i>Status Check: Compliance / 12-31-2020 DCRR</i></p>
02/22/2021	<p> Minute Order (3:00 PM) (Judicial Officer: Holthus, Mary Kay)</p> <p>Minute Order - No Hearing Held;</p> <p>Journal Entry Details:</p> <p><i>This Court, having reviewed the pleadings and papers on file herein, upon the request of the above-named Defendant US Bank National Association, through counsel Kevin M. Sutehall, Esq., and for good cause appearing, IT IS HEREBY ORDERED that upon request of this Court, Exhibit 2-A to Defendant US Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certifications, Series 2007 BC3 s Renewed Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong shall be filed under seal pursuant to Nevada Rules Governing Sealing and Redacting Court Records, Rule 3. CLERK'S NOTE: The above minute order has been electronically served to</i></p>

CASE SUMMARY

CASE NO. A-19-796941-C

parties via email and/or Odyssey File & Serve. // 2-22-21/ dy;

03/02/2021

Motion to Compel (9:30 AM) (Judicial Officer: Truman, Erin)

Plaintiff's Motion to Compel Production of Documents from First American Title Insurance Company
Judicial Economy
Denied;

03/02/2021

Motion for Protective Order (9:30 AM) (Judicial Officer: Truman, Erin)

Plaintiff's Motion for Protective Order
Granted in Part;

03/02/2021

Motion to Compel (9:30 AM) (Judicial Officer: Truman, Erin)

Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass through Certificates, Series 2007-BC3 S Renewed Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong Hearing on Shortened Time
Denied;

03/02/2021



All Pending Motions (9:30 AM) (Judicial Officer: Truman, Erin)



Matter Heard;

Journal Entry Details:

ATTORNEY PRESENT: Edward Vargas, #8702, present for Plaintiff in an unbundled capacity. (1) Plaintiff's Motion for Protective Order (2) Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass through Certificates, Series 2007-BC3 S Renewed Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong Hearing on Shortened Time (3) Plaintiff's Motion to Compel Production of Documents from First American Title Insurance Company Argument by Mr. Vargas regarding a title insurance claim made in 2015, and counsel doesn't know how the attorney client privilege applies. Argument by Mr. Vargas. Ms. Wood stated 2019 is the only claim she is aware of, it was identified on documents in the privilege log, and in the Subpoena. The property is 3713 Brentcove, North Las Vegas, NV 89032. Ms. Wood stated First American Title Insurance Company was not the policy issuing Agent, however, her office already agreed to accept service on the Subpoena to look for documents. COMMISSIONER RECOMMENDED, (3) Plaintiff's Motion to Compel Production of Documents from First American Title Insurance Company is DENIED; alternative relief provided; Plaintiff is allowed to re-serve a Subpoena on First American Title Insurance Company for any and all claims for the property at 3713 Brentcove, North Las Vegas, NV 89032 from 2015 through the present time. COMMISSIONER RECOMMENDED, once the documents and privilege log are produced, counsel must met and confer. Ms. Wood agreed to accept service on a modified Subpoena. COMMISSIONER RECOMMENDED, issue the Subpoena as soon as possible, and respond as soon as possible; Status Check SET in 30 days. Ms. Wood will work with counsel if a different Status Check date is needed, and contact the Discovery office. After serving the Subpoena for Plaintiff, Mr. Vargas will prepare a Notice of Withdrawal. Mr. Vargas to prepare the Report and Recommendations, and counsel to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution. Ms. Wood is not a party in the case, therefore, she disconnected from the Hearing. Colloquy regarding Ramin Zabeti, a percipient witness. Commissioner can look at documents 1 through 3 in camera. Argument by Mr. Sutehall. Colloquy regarding a Subpoena to a Third Party. COMMISSIONER RECOMMENDED, (1) Plaintiff's Motion for Protective Order is GRANTED IN PART and DENIED IN PART; all communications between Ramin Zabeti and Plaintiff must be responded to for this property dispute; any documents requested related to the Subpoena within Ramin Zabeti's possession, custody, or control must be produced. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Vargas to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution. Commissioner stated a Rule 35 examination is not proportional to this case as Mr. Armstrong's capacity cannot be assessed at the time the Contract was entered into (2007). Commissioner stated an Evidentiary Hearing may be appropriate. Argument by Mr. Sutehall. COMMISSIONER RECOMMENDED, (2) Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass through Certificates, Series 2007-BC3 S Renewed Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong Hearing is DENIED; alternative relief provided; Plaintiff is Directed to identify his health insurance Carrier since

CASE SUMMARY**CASE NO. A-19-796941-C**

he is not providing medical providers; Commissioner allowed the medical health Carrier since 2007, and Deft is allowed to Subpoena a List of claims since 2007 to obtain the records directly from the Carrier. Mr. Vargas stated Mr. Armstrong has been on Medicare about 20 years. **COMMISSIONER RECOMMENDED**, Mr. Armstrong must contact Medicare, and provide a printout of medical providers who submitted claims on Mr. Armstrong's behalf including mental health treatment; provide the information to Defs within two weeks. Colloquy. **COMMISSIONER RECOMMENDED**, by 3-16-2021, Mr. Armstrong is required to request the information from Medicare, but redact the amount of treatment; names of providers including mental health, or for cognitive issues must remain unredacted; redact the names of providers who are not related to this issue; provide to Mr. Sutehall a copy of the correspondence, and the Request to Medicare. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Vargas to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution. At the request of counsel, **COMMISSIONER RECOMMENDED**, the 3-5-2021 Status Check is VACATED. 3-19-2021 9:30 a.m. Status Check: Medicare claims 4-2-2021 9:30 A.M. Status Check: Subpoena to First American Title Insurance Company ;

03/04/2021	<p>CANCELED Status Check: Compliance (3:00 AM) (Judicial Officer: Truman, Erin) <i>Vacated</i> <i>Status Check: Compliance / 1-29-2021 DCRR</i></p>
03/19/2021	<p> Status Check (10:00 AM) (Judicial Officer: Young, Jay) 03/19/2021, 04/02/2021 <i>Status Check: Medicare claims</i> Matter Continued; Status Check: Medicare claims Matter Heard; Matter Continued; Status Check: Medicare claims Matter Heard; Journal Entry Details: <i>Mr. Armstrong submitted a Declaration last night, and Mr. Sutehall reviewed it. COMMISSIONER RECOMMENDED, matter CONTINUED two weeks to determine if documentation is provided, and proof of submission is submitted by Mr. Armstrong. If the documents are submitted to Mr. Sutehall before 4-2-2021, Plaintiff and Mr. Sutehall's appearance is not needed. Mr. Sutehall addressed the Declaration, and it is not clear what Mr. Armstrong is asking for; records from Medicare are needed, but Mr. Armstrong requested records from the Social Security Administration. Mr. Armstrong always goes through Social Security for his medical records. Commissioner stated the records are being provided to avoid a Rule 35 examination, and records from medical providers must be provided from Medicare. If Mr. Armstrong has asked the wrong entity for documents, and the records are not provided to Deft, Commissioner will be Strongly Inclined to Order a Rule 35 examination. Mr. Armstrong understood the Commissioner's concerns. Commissioner stated providing the records was an effort to protect Mr. Armstrong's privacy, but Mr. Armstrong may be seeking the records from the wrong entity. 4-2-2021 10:00 a.m. Status Check: Medicare claims;</i></p>
03/24/2021	<p>CANCELED Motion to Seal/Redact Records (10:00 AM) (Judicial Officer: Hardcastle, Kathy) <i>Vacated - Previously Decided</i> <i>Defendants' Motion to Seal Exhibit 2-A to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-3B's Renewed Motion to Compel NRCP 35 Examination on Plaintiff Tyrone Keith Armstrong</i></p>
04/02/2021	<p>Status Check (10:00 AM) (Judicial Officer: Young, Jay) <i>Status Check: Subpoena to First American Title Insurance Company</i> Matter Heard;</p>
04/02/2021	<p> All Pending Motions (10:00 AM) (Judicial Officer: Young, Jay) Matter Heard; Journal Entry Details: <i>Status Check: Subpoena to First American Title Insurance Company Status Check: Medicare claims Mr. Armstrong filed a Declaration last night. Mr. Sutehall addressed the medical EOBs, the fragmented partial production of mental health records, and Mr. Sutehall requested</i></p>

CASE SUMMARY

CASE NO. A-19-796941-C

a HIPAA release. Mr. Armstrong stated the records were requested 3-19-2021. Colloquy. COMMISSIONER RECOMMENDED, Status Check SET in 30 days. Commissioner will alert Judge Holthus of the issue, and counsel would request an extension from Judge Holthus. Ms. Woods stated her client is a non-party, and Mr. Armstrong served a Subpoena on her client. Argument by Ms. Woods regarding production of documents from the 2015 claim, and Ms. Woods agreed to provide a COR Affidavit in response to the second Subpoena. If Plaintiff believes the privilege log is inappropriate, Commissioner stated Plaintiff must reach out to Ms. Woods. Counsel offered to produce the documents for an in camera review. Argument by Mr. Armstrong. COMMISSIONER RECOMMENDED, Status Check SET for Commissioner to review the privilege log in camera. Commissioner will review the Motion and the pleadings. Submit the in camera by dropping it off in person, or mailing it to DiscoveryInbox@clarkcountycourts.us. 5-7-2021 10:00 a.m. Status Check: Subpoena to First American Title / Medicare claims / In camera review of privilege log;

04/08/2021 **CANCELED Status Check: Compliance (3:00 AM)** (Judicial Officer: Truman, Erin)

Vacated

Status Check: Compliance / 3-2-2021 DCRR (Ms. Wood)

04/08/2021 **CANCELED Status Check: Compliance (3:00 AM)** (Judicial Officer: Truman, Erin)


Vacated

Status Check: Compliance / 3-2-2021 DCRR (Mr. Sutehall)

04/08/2021 **CANCELED Status Check: Compliance (3:00 AM)** (Judicial Officer: Truman, Erin)

Vacated

Status Check: Compliance / 3-2-2021 DCRR (Mr. Sutehall)

05/14/2021  **Status Check (10:00 AM)** (Judicial Officer: Young, Jay)

Status Check: Subpoena to First American Title / Medicare claims / In camera review of privilege log

Matter Heard; Status Check: Subpoena to First American Title / Medicare claims / In camera review of privilege log


Journal Entry Details:

Commissioner reviewed the documents in camera submitted by First American Title Insurance Company, and each document was properly withheld based on privilege. Ms. Wood to prepare the Report and Recommendations, and Mr. Armstrong has 48 hours to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to

DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution. 6-4-2021 10:00 a.m. Status Check: Compliance / 5-14-2021 DCRR During the Hearing, Mr. Armstrong sent a message to Discovery stating he is present, but he was muted. Colloquy. Court Recorder unmuted Mr. Armstrong.. Mr. Armstrong received the second set of Medicare records, and served them on Deft. Mr. Armstrong received one page out of 188 pages from the 2015 title insurance claim.

Argument by Mr. Armstrong. Mr. Sutehall stated Ms. Wood disconnected from the Hearing as she was part of the prior discussion. Mr. Armstrong heard Commissioner's ruling on the in camera submission. Mr. Armstrong requested Commissioner require Ms. Wood to provide the documents. Commissioner advised Mr. Armstrong that he must conduct a meet and confer with Ms. Wood before bringing a Motion before the Commissioner. Commissioner inquired if the mental health providers were included in the records. Mr. Armstrong didn't look at the records he served on Mr. Sutehall. COMMISSIONER RECOMMENDED, Mr. Armstrong and Mr. Sutehall must conduct a phone or in-person conference; Mr. Armstrong must give Mr. Sutehall a List of mental health providers, or Commissioner will Order a Rule 35 examination. Mr. Armstrong suggested Mr. Sutehall obtain the records. Commissioner stated Mr. Armstrong has the obligation to provide the records. COMMISSIONER RECOMMENDED, Mr. Armstrong must give a List of providers and mental health providers that Mr. Armstrong treated with, and give it to Mr. Sutehall; if the List is not provided to Mr. Sutehall by 5-21-2021, Commissioner will Grant a Rule 35 examination. COMMISSIONER RECOMMENDED, Status Check SET. 5-21-2021 10:00 A.M. Status Check: Medicare records, and a List of providers, and mental health providers

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jennifer Lott, to all registered parties for Odyssey File & Serve. jl;

05/21/2021  **Status Check (10:00 AM)** (Judicial Officer: Young, Jay)

Status Check: Medicare records, and a List of providers, and mental health providers

Matter Heard;

CASE SUMMARY**CASE NO. A-19-796941-C**

Journal Entry Details:

Commissioner noted at the last meeting, Mr. Armstrong was instructed to provide a list of medical providers. Mr. Sutehall advised Plaintiff filed a document that identified 6 providers for mental health services, 4 of the names were new; of which 3 out of the 4 have been served a subpoena. However, Plaintiff has objected to the subpoenas. Mr. Sutehall also requested Mr. Armstrong return the HIPPA release. Mr. Armstrong withdrew his objection to the subpoenas. Colloquy regarding the HIPPA release. COMMISSIONER RECOMMENDED: HIPPA releases due by 5/24/2021 and status check SET. Mr. Sutehall to prepare a report and recommendation to include the steps Defendant has taken and that HIPPA releases were due by 5/24/2021, provide to Plaintiff for review and approval and submit to the discovery in box within 14 days of the hearing to avoid a sanction. 06/11/2021 10:00 AM STATUS CHECK;

06/02/2021 **Motion for Partial Summary Judgment (10:00 AM)** (Judicial Officer: Holthus, Mary Kay)

Plaintiff's Motion for Partial Summary Judgment

Motion Denied;

06/02/2021 **Motion for Partial Summary Judgment (10:00 AM)** (Judicial Officer: Holthus, Mary Kay)

Plaintiff's Amended Motion for Partial Summary Judgment Vol. 1

Motion Denied;

06/02/2021 **Counter-motion (10:00 AM)** (Judicial Officer: Holthus, Mary Kay)

Opposition to Plaintiff's Motion and Amended Motion for Partial Summary Judgment; Counter-Motion for Summary Judgment

Decision Made;

06/02/2021 **Joinder (10:00 AM)** (Judicial Officer: Holthus, Mary Kay)

06/02/2021, 07/28/2021

Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corp Mortgage Pass-Through Certificates, Series 2007-BC3's Response to Plaintiff's October 20,2020 Motion for Partial Summary Judgment and Joinder to PHH/OCWEN Opposition to Plaintiff's Motion and Amended Motion for Partial Summary Judgment; Counter-motion for Summary Judgment

Matter Continued;

Granted;


Matter Continued;

Granted;

06/02/2021 **Joinder (10:00 AM)** (Judicial Officer: Holthus, Mary Kay)

Joinder to Opposition to Plaintiff's Amended Motion for Partial Summary Judgment

Decision Made;

06/02/2021  **All Pending Motions (10:00 AM)** (Judicial Officer: Holthus, Mary Kay)

Matter Heard;

Journal Entry Details:

APPEARANCES: Edward Vargas, Esq. present in special capacity for Pltf. Kevin Sutehall, Esq. present for Deft. US Bank. PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT...PLAINTIFF'S AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT VOL. 1...DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORP MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S RESPONSE TO PLAINTIFF'S October 20,2020 MOTION FOR PARTIAL SUMMARY JUDGMENT AND JOINDER TO PHH/OCWEN OPPOSITION TO PLAINTIFF'S MOTION AND AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT; COUNTERMOTION FOR SUMMARY JUDGMENT...JOINDER TO OPPOSITION TO PLAINTIFF'S AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT...OPPOSITION TO PLAINTIFF'S MOTION AND AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT; COUNTER-MOTION FOR SUMMARY JUDGMENT Arguments by Mr. Vargas and Mr. Sutehall including issues pertaining to material facts, identify theft, and statute of limitations. COURT FINDS issues of act exist; therefore, ORDERED, Motions DENIED with exception to Counter-motion on statute of limitations issue. Colloquy regarding time for briefing the issue. COURT FURTHER ORDERED, Mr. Sutehall to file supplemental brief on statute of limitations by 6/16/21; response to supplement due by 6/30/21; reply brief due by 7/14/21; hearing SET 7/28/21 at 10:00 a.m. Upon inquiry by Mr. Sutehall, Court stated an order may be prepared after the continued hearing. CONTINUED

CASE SUMMARY

CASE NO. A-19-796941-C


TO: 7/28/21 10:00 AM DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORP MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S RESPONSE TO PLAINTIFF'S October 20,2020 MOTION FOR PARTIAL SUMMARY JUDGMENT AND JOINDER TO PHH/OCWEN OPPOSITION TO PLAINTIFF'S MOTION AND AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT; COUNTERMOTION FOR SUMMARY JUDGMENT CLERK'S NOTE: Minutes prepared utilizing the JAVS recording. /cd 7-13-2021/;


06/11/2021 **CANCELED Motion for Protective Order** (9:30 AM) (Judicial Officer: Young, Jay)
Vacated
Plaintiff's Motion for Protective Order

06/11/2021 **CANCELED Status Check: Compliance** (10:00 AM) (Judicial Officer: Young, Jay)
Vacated
Status Check: Compliance

06/16/2021 **CANCELED Calendar Call** (10:00 AM) (Judicial Officer: Holthus, Mary Kay)
Vacated - per Attorney or Pro Per




06/28/2021 **CANCELED Bench Trial** (1:00 PM) (Judicial Officer: Holthus, Mary Kay)
Vacated - per Attorney or Pro Per

07/09/2021  **Motion for Protective Order** (9:00 AM) (Judicial Officer: Young, Jay)
Plaintiff's Motion for Protective Order
Discovery Hearing Requested
Denied; Plaintiff's Motion for Protective Order
Journal Entry Details:
No further argument by Mr. Armstrong or Mr. Sutehall. COMMISSIONER RECOMMENDED, motion is DENIED; the Countermotion is GRANTED pursuant to Rule 37(a)(5)(B); Mr. Sutehall has seven days to supplement the pleadings regarding the Request for Fees and Costs; Mr. Armstrong has seven days to file a response, and a Status Check is SET in 21 days. Commissioner Directed Mr. Sutehall to utilize the Form on the Eighth Judicial District Court's website. A template Report and Recommendation was created to assist counsel on Attorney Fees and Costs. Mr. Armstrong requested Commissioner defer the attorney fees to Trial. COMMISSIONER RECOMMENDED, Request is DENIED, but Request to Deter Payment until after Trial is UNDER ADVISEMENT. Mr. Sutehall to prepare the Report and Recommendations, and a proposed Order for fees and costs. Mr. Armstrong to approve as to form and content. If necessary, submit opposing Orders in Word with redlines so the Commissioner can see the changes. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution. COMMISSIONER RECOMMENDED, Status Check SET; if the DCRR is submitted, the Status Check will be vacated. 7-30-2021 IN CHAMBERS Status Check: Attorney fees and costs 8-6-2021 10:00 a.m. Status Check: Compliance / 7-9-2021 DCRR;

07/23/2021  **Motion for Protective Order** (9:30 AM) (Judicial Officer: Young, Jay)
Plaintiff's Re-Noticed Motion for Protective Order RE: Deposition Testimony of Trina Reynolds
Denied; Plaintiff's Re-Noticed Motion for Protective Order RE: Deposition Testimony of Trina Reynolds
Journal Entry Details:
Argument by Mr. Armstrong. Commissioner inquired why Mr. Armstrong did not appear at the deposition. Mr. Sutehall stated the deposition was 5-7-2021, discovery has since closed, and Mr. Armstrong had Notice of the deposition. Argument by Mr. Sutehall; counsel requested fees for having to prepare the Motion. Mr. Armstrong did not receive a Zoom log-in in the deposition Notice. Argument by Mr. Sutehall. COMMISSIONER RECOMMENDED, motion is DENIED; Request for Sanctions is DENIED. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Armstrong to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution. COMMISSIONER RECOMMENDED, Status Check SET; if the DCRR is submitted, contact the Discovery office to vacate the Status Check. 8-13-2021 10:00 a.m. Status Check: Compliance / 7-23-2021 DCRR;

CASE SUMMARY

CASE NO. A-19-796941-C

07/28/2021	Hearing (10:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Hearing RE; Supplemental Briefing</i> Matter Heard;
07/28/2021	 All Pending Motions (10:00 AM) (Judicial Officer: Holthus, Mary Kay) Matter Heard; Journal Entry Details: <i>HEARING: RE; SUPPLEMENTAL BRIEFING...DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORP MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S RESPONSE TO PLAINTIFF'S October 20,2020 MOTION FOR PARTIAL SUMMARY JUDGMENT AND JOINDER TO PHH/OCWEN OPPOSITION TO PLAINTIFF'S MOTION AND AMENDED JUDGMENT FOR PARTIAL SUMMARY JUDGMENT; COUNTERMOTION FOR SUMMARY JUDGMENT Mr. Armstrong and Counsel present via Bluejeans. Arguments regarding when the Statute of Limitations date starts, Pltf's. continued occupancy of the home, the timing of the Default, production of documents at mediation, Def't's. authority to foreclose, the time-barring of the quiet title claims, and the Injunction in place. COURT STATED FINDINGS, and ORDERED, Defendant's Motion and Amended Motion for Partial Summary Judgment; Countermotion for Summary Judgment, GRANTED. The Injunction LIFTED. Mr. Sutehall to prepare the Order, provide a copy to opposing counsel for review as to form and content, and return it back to the Court within 10 days.;</i>
07/30/2021	Status Check (3:00 AM) (Judicial Officer: Young, Jay) <i>Status Check: Attorney fees and costs</i>
08/06/2021	CANCELED Status Check: Compliance (10:00 AM) (Judicial Officer: Young, Jay) <i>Vacated</i> <i>Status Check: Compliance / 7-9-2021 DCRR</i>
08/13/2021	 Status Check: Compliance (10:00 AM) (Judicial Officer: Young, Jay) <i>Status Check: Compliance / 7-23-2021 DCRR</i> Matter Heard; Status Check: Compliance / 7-23-2021 DCRR Journal Entry Details: <i>Mr. Sutehall stated the DCRR was submitted 7-30-2021 to the Discovery Inbox. Commissioner requested Mr. Sutehall re-submit the DCRR as he didn't see an email regarding the submission, or the DCRR.;</i>
08/25/2021	 Calendar Call (10:00 AM) (Judicial Officer: Holthus, Mary Kay) Off Calendar; Journal Entry Details: <i>Matter called, No parties present. COURT ORDERED, matter OFF CALENDAR; Bench Trial VACATED. ;</i>
09/07/2021	CANCELED Bench Trial (1:00 PM) (Judicial Officer: Holthus, Mary Kay) <i>Vacated - per Judge</i>
10/12/2021	Motion to Stay (10:00 AM) (Judicial Officer: Holthus, Mary Kay) Events: 09/15/2021 Motion to Stay <i>Plaintiff's Pro Per Motion and Notice of Motion to Stay Judgment Pending Appeal Pursuant to NRCP 62(d)(1) and NRAP 7</i> Granted;
10/12/2021	Motion to Cancel Lis Pendens (10:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Defendant U.S. Bank National Association, as Trustee For Structured Asset Securities Corporation Mortgage Passthrough Certificates, Series 2007-Bc3 s Motion to Cancel Lis Pendens Pursuant to NRS 14.015 On Order Shortening Time</i> Denied in Part;
10/12/2021	Joinder (10:00 AM) (Judicial Officer: Holthus, Mary Kay) <i>Joinder to U.S. Bank National Association, as Trustee for Structured Asset Securities</i>

CASE SUMMARY

CASE No. A-19-796941-C

Corporation Mortgage Pass-Through Certificate, Series 2007-BC3's Reply in Support of its Motion to Cancel Lis Pendens Pursuant to NRS 14.015 on Order Shortening Time Denied in Part;

10/12/2021



All Pending Motions (10:00 AM) (Judicial Officer: Holthus, Mary Kay)

Matter Heard;

Journal Entry Details:

PLAINTIFF'S PRO PER MOTION AND NOTICE OF MOTION TO STAY JUDGMENT PENDING APPEAL PURSUANT TO NRCP 62(D)(1) AND NRAP 7... DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S MOTION TO CANCEL LIS PENDENS PURSUANT TO NRS 14.015 ON ORDER SHORTENING TIME... JOINDER TO U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATE, SERIES 2007-BC3'S REPLY IN SUPPORT OF ITS MOTION TO CANCEL LIS PENDENS PURSUANT TO NRS 14.015 ON ORDER SHORTENING TIME Counsel present via Bluejeans. Upon Court's inquiry, Mr. Ghibaudo **CONFIRMED** as Counsel of Record for Mr. Armstrong. Following arguments by counsel regarding an automatic Stay applying in this case, the pending Appeal, emotional distress to the Pltf. due to the filing of the Motion, expectation the home value will increase, Court considering disturbed possession if the Motion is granted and the Appeal upheld, and Pltf's. time in the home and the additional time it will take for the Appeal to be decided. **COURT STATED FINDINGS, and ORDERED, Plaintiff's Pro Per Motion And Notice Of Motion To Stay Judgment Pending Appeal Pursuant To NRCP 62(D)(1) And NRAP 7, GRANTED. Deft's. Motion to Cancel Lis Pendens Pursuant to NRS 14.015 On Order Shortening Time and the Joinder, PASSED until word is received on the Appeal. Mr. Sutehall argued that a Bond be posted during the pendency of the Appeal. Following argument regarding Deft's. indigent status. COURT ORDERED, Mr. Sutehall's request for a Bond, DENIED; Deft. has already posted a \$500.00 Bond. Mr. Ghibaudo is to prepare the Order, provide a copy to opposing counsel for review as to form and content, and return it back to the Court within 10 days.;**

10/19/2021

CANCELED Motion (10:00 AM) (Judicial Officer: Holthus, Mary Kay)

Vacated - Duplicate Entry

Ex Parte Application for an Order Shortening Time on Motion and Notice of Motion to Stay Judgment Pending Appeal Pursuant to NRCP 62(d)(1) and NRAP 7

08/30/2022



Status Check (10:00 AM) (Judicial Officer: Holthus, Mary Kay)

08/30/2022, 09/06/2022

Status Check: SC Order

Matter Continued;

Matter Heard;

Journal Entry Details:

*Jeffrey Allison, Esq. present via Bluejeans video conference. Court inquired if everyone got to the Supreme Court, which parties concurred. Court noted the quiet title claim survives. Statements by Mr. Sutehall. Further, Mr. Sutehall requested leave to file the renewed Motion for Summary Judgment, and indicated they anticipated a bench trial if the Court didn't grant the Motion. Mr. Ghibaudo anticipated Defense would want to file summary judgment; however, there was a remittitur issue. Court inquired if parties wanted to status check the matter, which Mr. Ghibaudo concurred. Upon Court's inquiry, parties noted they had not had a settlement conference; however, would try for it. Mr. Sutehall concurred with counsel that there was a remittitur issue; therefore, requested two days to re-file. Court advised it would set the bench trial in 30 days, and Mr. Sutehall could file what he needed to. Mr. Ghibaudo noted 60 days may be more appropriate. Court advised parties they could contact Judge Wiese to set up a settlement conference due to it being a fairly narrow issue. Mr. Sutehall indicated they were willing to have discussions, and inquired if there was a deadline to file the Motion for Summary Judgment. Court stated there was no deadline. **COURT ORDERED, status check SET in 60 days. 11/15/22 10:00 AM STATUS CHECK: RE-FILED MOTION FOR SUMMARY JUDGMENT/ BENCH TRIAL/ REMITTITUR ISSUE ;***

Matter Continued;

Matter Heard;

Journal Entry Details:

*Parties not present. **COURT ORDERED, matter CONTINUED for one week. Court noted counsel called and indicated they were stuck in another courtroom. 9/6/22 10:00 AM CONTINUED: STATUS CHECK: SC ORDER CLERK'S NOTE: Parties notified of the***

CASE SUMMARY

CASE NO. A-19-796941-C

continuance through the Judicial Executive Assistant via email. //9-6-22/ dy;

10/24/2022



Motion to Associate Counsel (3:00 AM) (Judicial Officer: Holthus, Mary Kay)

Defendant's Motion to Associate Counsel John Lewis Grossman

Granted;

Journal Entry Details:

This Court, having reviewed Defendant U.S. Bank National Association s Motion to Associate Counsel John Lewis Grossman, Esq., the pleadings and papers filed herein, there being no opposition filed with the Court, and for good cause appearing, COURT ORDERED the Motion to Associate Counsel for Defendant U.S. Bank National Association is GRANTED pursuant to Nevada Supreme Court Rule 42. Defendant s Counsel is to prepare a written order consistent with this Minute Order and submit it to DC18Inbox@clarkcountycourts.us. CLERK'S NOTE: Minute order electronically served to parties via Odyssey File & Serve. //10-24-22/dy ;

11/15/2022



Status Check (10:00 AM) (Judicial Officer: Holthus, Mary Kay)

STATUS CHECK: RE-FILED SUMMARY JUDGMENT/ BENCH TRIAL/ REMITTUR ISSUE

MINUTES

Briefing Schedule Set;

Journal Entry Details:

Tyrone Armstrong, Alex Ghibaudo, Esq. and Jeffrey Allison, Esq. present via Bluejeans video conference. Court indicated there was a Motion for Summary Judgment recently filed. Mr. Sutehall concurred. Further, Mr. Sutehall indicated he was going to request 45 to 60 days to file an Opposition, which he believed Mr. Allison didn't oppose. Mr. Allison concurred. Mr. Sutehall noted it would be 60 days to file. No objection by Mr. Ghibaudo. Mr. Allison indicated if the Motion was filed the previous day, he would request that the Clerk hold the Motion until the other Motion was filed. Court concurred. Colloquy between parties. Following colloquy, COURT ORDERED, the following briefing schedule SET: both Motions for Summary Judgment to be filed by January 17, 2023, Plaintiff to file Opposition by March 14, 2023, Reply to be filed by April 11, 2023 and hearing SET. Upon Court's inquiry, Mr. Ghibaudo didn't oppose attending a settlement conference. Court DIRECTED counsel to contact Judge Wiese if they wanted to set up a settlement conference. 4/25/23 10:00 AM ARGUMENT: MOTION FOR SUMMARY JUDGMENT CLERK'S NOTE: Minute order corrected to reflect Motions for Summary Judgment to be filed by January 17, 2023, Plaintiff to file Opposition by March 14, 2023. Minute order electronically served to parties via Odyssey File & Serve. //12-7-22/dy;

SCHEDULED HEARINGS

Hearing (05/18/2023 at 9:00 AM) (Judicial Officer: Chio, Danielle)

ARGUMENT: MOTION FOR SUMMARY JUDGMENT

01/31/2023

CANCELED Motion for Summary Judgment (10:00 AM) (Judicial Officer: Holthus, Mary Kay)

Vacated - Set in Error

Defendant's Motion of PHH for Summary Judgment; Memorandum of Points and Authorities; Supporting Declarations

04/19/2023



Minute Order (3:00 PM) (Judicial Officer: Chio, Danielle)

Minute Order - No Hearing Held;

Journal Entry Details:

COURT ORDERED, that argument regarding Motion for Summary Judgment and Joinders are hereby reset to May 18, 2023 at 9:00 AM. CLERK'S NOTE: A copy of the foregoing minute order was distributed to the registered service recipients via Odyssey eFileNV E-Service (4-19-2023 ss).;

05/18/2023

Hearing (9:00 AM) (Judicial Officer: Chio, Danielle)

ARGUMENT: MOTION FOR SUMMARY JUDGMENT

05/18/2023

Joinder (9:00 AM) (Judicial Officer: Chio, Danielle)

Joinder to Defendants PHH Mortgage Corporation for itself and as Successor to OcwenLoan Services, LLC's Motion for Summary Judgment

05/18/2023

Joinder (9:00 AM) (Judicial Officer: Chio, Danielle)

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-19-796941-C

	Events: 01/17/2023 Joinder to Motion For Summary Judgment <i>Joinder to Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's Motion for Summary Judgment</i>
05/18/2023	Joinder (9:00 AM) (Judicial Officer: Chio, Danielle) <i>Plaintiff's Opposition to Defendant Owen's Motion for Summary Judgment; and Plaintiff's Countermotion for Summary Judgment</i>
05/18/2023	Joinder (9:00 AM) (Judicial Officer: Chio, Danielle) <i>Plaintiff's Opposition to Defendant U.S. Bank's Motion for Summary Judgment; and Plaintiff's Countermotion for Summary Judgment</i>
05/18/2023	Joinder (9:00 AM) (Judicial Officer: Chio, Danielle) <i>Notice of Joinder to Defendant U.S. Bank National Association, as Trustee's Reply in Support of its Motion for Summary Judgment; and Opposition to Plaintiff's Countermotion for Summary Judgment</i>
05/18/2023	Joinder (9:00 AM) (Judicial Officer: Chio, Danielle) <i>Joinder to Reply to Plaintiff's Opposition to Motion for Summary Judgment by Defendant PHH/Ocwen; and Opposition to Plaintiff's Late Counter-Motion for Summary Judgment</i>

DATE	FINANCIAL INFORMATION
	Defendant BNC Mortgage Inc Total Charges 223.00 Total Payments and Credits 223.00 Balance Due as of 7/5/2023 0.00
	Defendant PHH Mortgage Corporation Total Charges 0.00 Total Payments and Credits 0.00 Balance Due as of 7/5/2023 0.00
	Counter Claimant US Bank National Association Total Charges 1,023.00 Total Payments and Credits 1,023.00 Balance Due as of 7/5/2023 0.00
	Defendant Ocwen Loan Servicing LLC Total Charges 913.00 Total Payments and Credits 913.00 Balance Due as of 7/5/2023 0.00
	Counter Defendant Armstrong, Tyrone Keith Total Charges 512.00 Total Payments and Credits 512.00 Balance Due as of 7/5/2023 0.00
	Counter Defendant Armstrong, Tyrone Keith Temporary Restraining Order Balance as of 7/5/2023 100.00
	Counter Defendant Armstrong, Tyrone Keith Appeal Bond Balance as of 7/5/2023 500.00

DISTRICT COURT CIVIL COVER SHEET

Clark County, Nevada
Case No. A-19-796941-C
(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone): Tyrone Keith Armstrong 3713 Brentcove Drive North Las Vegas, Nevada 89032 (702) 491-8426	Defendant(s) (name/address/phone): U.S. Bank National Association, Et. Al 2300 W. Sahara Avenue, Ste. 100 Las Vegas, Nevada 89102 (702) 251-1600
Attorney (name/address/phone): Pro Se	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 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 <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

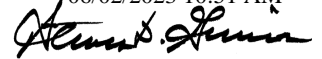
Business Court filings should be filed using the Business Court civil coversheet.

06-18-2019

Date

Tyrone Armstrong
Signature of initiating party or representative

See other side for family-related case filings.



CLERK OF THE COURT

1 **OGSJ**

2 MARK J. CONNOT (10010)

3 KEVIN M. SUTEHALL (9437)

4 **FOX ROTHSCHILD LLP**

5 1980 Festival Plaza Dr., Suite 700

6 Las Vegas, NV 89135

7 Telephone: (702) 262-6899

8 Facsimile: (702) 597-5503

9 mconnot@foxrothschild.com

10 ksutehall@foxrothschild.com

11 *Attorneys for Defendant U.S. Bank National*

12 *Association, as Trustee for Structured Asset Securities*

13 *Corporation Mortgage Pass-Through Certificates,*

14 *Series 2007-BC3*

15 **DISTRICT COURT**

16 **CLARK COUNTY, NEVADA**

17 TYRONE KEITH ARMSTRONG,

18 Plaintiff,

19 vs.

20 U.S. BANK NATIONAL ASSOCIATION, as
21 Trustee for Structured Asset Securities
22 Corporation Mortgage Pass-Through
23 Certificates, Series 2007-BC3; OCWEN
LOAN SERVICING, LCC; PHH
MORTGAGE CORPORATION; WESTERN
PROGRESSIVE-NEVADA, INC.; BNC
MORTGAGE, INC., DOES 1 through 20;
ROE BUSINESS ENTITIES 1 through 20,

24 Defendants.

25 AND RELATED COUNTERCLAIM

Case No.: A-19-796941-C

Dept.: 7

ORDER (1) GRANTING DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S MOTION FOR SUMMARY JUDGMENT; (2) GRANTING DEFENDANT PHH MORTGAGE CORPORATION, FOR ITSELF AND AS SUCCESSOR TO OCWEN LOAN SERVICING, LLC'S MOTION FOR SUMMARY JUDGMENT; AND (3) DENYING PLAINTIFF TYRONE KEITH ARMSTRONG'S COUNTER-MOTIONS FOR SUMMARY JUDGMENT

26 The following motions came on for hearing on May 18, 2023 at 9:00 a.m., before the
27 Honorable Judge Danielle K. Chio: (1) Defendant U.S. Bank National Association, as Trustee for
28 Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's
("U.S. Bank Trust's") Motion for Summary Judgment filed on January 17, 2023 (the "U.S. Bank
Trust Motion"); (2) Defendant PHH Mortgage Corporation, for itself and as Successor to Ocwen

1 Loan Servicing, LLC's ("PHH's") Motion for Summary Judgment filed on November 14, 2022 (the
2 "PHH Motion"); and (3) Plaintiff Tyrone Keith Armstrong's ("Plaintiff's") Countermotions for
3 Summary Judgment filed on March 14, 2023 ("Plaintiff's Countermotions"). U.S. Bank Trust and
4 PHH may sometimes be referred to collectively as "Defendants."

5 The Court notes the following procedural history:

6 • Plaintiff filed his initial Complaint in this matter on June 18, 2019 (the "Complaint").
7 The Complaint concerned a certain deed of trust recorded by lender, BNC Mortgage, Inc. ("BNC"),
8 on January 25, 2007 (the "2007 Deed of Trust") against Plaintiff's real property located in Clark
9 County, Nevada, which real property is commonly known as 3713 Brentcove Drive, North Las
10 Vegas, Nevada 89032, with Clark County Assessor's Parcel Number 139-09-217-099 (the
11 "Property").

12 • On December 7, 2020, Plaintiff filed a Motion for Leave to File First Amended
13 Complaint ("Motion for Leave to Amend"). In the Motion for Leave to Amend, Plaintiff specifically
14 "set aside" his prior claims of forgery and fraud, among others. *Id.* at 2:21-2:22.

15 • The Motion for Leave to Amend was granted, and Plaintiff filed his First Amended
16 Complaint in this matter on February 27, 2021 (the "First Amended Complaint").

17 • The First Amended Complaint included causes of action for: (1) wrongful foreclosure;
18 (2) quiet title; (3) declaratory relief; and (4) slander of title. Each claim related to the Property, the
19 2007 Deed of Trust, and the related the 2007 adjustable rate note in the amount of \$237,000 between
20 BNC and Plaintiff (the "2007 Note").

21 • After Plaintiff filed the First Amended Complaint, the parties filed cross-motions for
22 summary judgment on Plaintiff's remaining claims.

23 • By order filed August 25, 2021, notice of entry of which was filed August 26, 2021,
24 the Court denied Plaintiff's motion and granted Defendants' countermotions for summary judgment.
25 *See* Notice of Entry of Order Denying Plaintiff's Amended Motion for Partial Summary Judgment
26 and Granting Defendants' Countermotions for Summary Judgment on Statutes of Limitations
27 Grounds, on file. The Court held that all of Plaintiff's claims were barred by their respective statutes
28 of limitations.

1 • Plaintiff filed a notice of appeal. *See* Notice of Appeal dated September 15, 2021, on
2 file.

3 • On August 11, 2022, the Nevada Supreme Court issued an order affirming this Court's
4 decision on all claims except for the quiet title claim, which it reversed and remanded to this Court
5 for further proceedings. *See* Order Affirming in Part, Reversing in Part, and Remanding dated
6 August 11, 2022. As a result, Plaintiff's quiet title claim is the sole remaining cause of action against
7 U.S. Bank Trust and PHH.

8 • PHH filed the PHH Motion on November 14, 2022.
9 • U.S. Bank Trust filed its Joinder to the PHH Motion on January 17, 2023.
10 • U.S. Bank Trust filed the U.S. Bank Trust Motion on January 17, 2023.
11 • PHH filed its joinder to the U.S. Bank Trust motion on January 17, 2023.
12 • Plaintiff filed his Opposition to the PHH Motion and his Countermotion for Summary
13 Judgment on March 14, 2023.

14 • Plaintiff filed his Opposition to U.S. Bank Trust's Motion and his Countermotion for
15 Summary judgment on March 14, 2023.

16 • PHH filed its Reply to Plaintiff's Opposition to Motion for Summary Judgment; and
17 Opposition to Plaintiff's Late Countermotion for Summary Judgment on April 25, 2023.

18 • U.S. Bank Trust filed its Reply in Support of the U.S. Bank Trust Motion; and
19 Opposition to Plaintiff's Countermotion for Summary Judgment on April 25, 2023.

20 • U.S. Bank Trust and PHH each filed joinders to each other's reply briefs on April 25,
21 2023.

22 • The Court heard oral argument on the U.S. Bank Motion, the PHH Motion, and
23 Plaintiff's Countermotions on May 18, 2023.

24 The Court, having reviewed the pleadings and papers on file herein, and having heard the
25 arguments of counsel, and good cause appearing, **FINDS AND ORDERS AS FOLLOWS:**

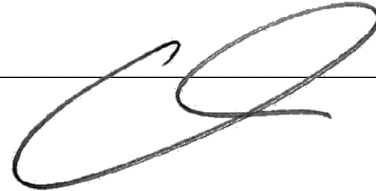
26 For the reasons set forth in the U.S. Bank Trust Motion, the PHH Motion, and U.S. Bank
27 Trust's and PHH's respective reply briefs and oppositions to Plaintiff's Countermotions, and because
28 there are no genuine disputes as to any material fact, and because U.S. Bank Trust and PHH are

entitled to judgment as a matter of law, summary judgment be and the same is hereby **GRANTED** in favor of U.S. Bank Trust and PHH;

For the reasons set forth in Defendants' respective briefs, the Court **DENIES** Plaintiff's Countermotions; and

IT IS SPECIFICALLY ORDERED that Plaintiff's sole remaining claim in the First Amended Complaint, for quiet title, is dismissed with prejudice.

Dated this 2nd day of June, 2023



Submitted by:

FOX ROTHSCHILD LLP

/s/ Kevin M. Sutehall

MARK J. CONNOT (10010)
KEVIN M. SUTEHALL (9437)
1980 Festival Plaza Dr., Suite 700
Las Vegas, NV 89135
Attorneys for Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3

**98C 766 D20A B148
Danielle Chio
District Court Judge**

Approved:

HOUSER LLP

/s/ Jeffrey S. Allison

JEFFREY S. ALLISON (8949)
9970 Research Drive
Irvine, California 92675
6671 S. Las Vegas Blvd. Building D, Ste. 210
Las Vegas, Nevada 89119
jallison@houser-law.com
Attorneys for Defendants PHH Mortgage Corporation, for itself and as Successor to Ocwen Loan Servicing, LLC

ALEX B. GHIBAUDO, P.C.

/s/ Alex B. Ghibaud

ALEX B. GHIBAUDO (10592)
197 E. California Street, Ste. 250
Las Vegas, Nevada 89104
alex@glawvegas.com
Attorney for Plaintiff Tyrone Keith Armstrong

From: [Jeffrey S. Allison](#)
To: [Sutehall, Kevin M.](#)
Cc: [Loffredo, Doreen](#); [Grossman, John L.](#); [Alex Ghibaudo](#)
Subject: [EXT] RE: Armstrong adv. U.S. Bank Trust/PHH: draft order concerning motions for summary judgment
Date: May 30, 2023 3:30:27 PM
Attachments: [ORDER GR MSJ\(145954791.1\)-C.docx](#)

Kevin,

Approved. You may affix my signature. Thanks,

Jeffrey S. Allison

Senior Attorney

HOUSER LLP

9970 Research Drive, Irvine, CA 92618

P: (949) 679-1111 F: (949) 679-1112

www.houser-law.com

Offices in Arizona, California, Connecticut, Massachusetts,
Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon & Washington

Admitted to Practice in California & Nevada.

This electronic message contains information from the law firm of Houser LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at jallison@houser-law.com

From: Sutehall, Kevin M. <KSutehall@foxrothschild.com>

Sent: Tuesday, May 30, 2023 3:24 PM

To: Alex Ghibaudo <alex@glawvegas.com>; Jeffrey S. Allison <jallison@houser-law.com>

Cc: Loffredo, Doreen <dloffredo@foxrothschild.com>; Grossman, John L.

<JGrossman@foxrothschild.com>

Subject: Armstrong adv. U.S. Bank Trust/PHH: draft order concerning motions for summary judgment

Alex and Jeff,

Attached is a proposed order concerning the Court's ruling on the parties' respective motions for summary judgment. Because the order is due June 1, 2023, please let us know no later than close of business tomorrow, May 31, 2023, if you approve of the form of the order or if you propose that we make any revisions. If we do not receive a response from you by close of business tomorrow, we will submit the attached version with an appropriate notification concerning a lack of response or whatever else applies. Thanks.

Kevin

Kevin Sutehall

Counsel

Fox Rothschild LLP

1980 Festival Plaza Drive, Suite 700

Las Vegas, NV 89135

(702) 699-5925 - direct

KSutehall@foxrothschild.com

www.foxrothschild.com

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

From: [Alex Ghibaudo](#)
To: [Sutehall, Kevin M.](#); [Jeffrey S. Allison](#)
Cc: [Loffredo, Doreen](#); [Grossman, John L.](#)
Subject: [EXT] RE: Armstrong adv. U.S. Bank Trust/PHH: draft order concerning motions for summary judgment
Date: May 30, 2023 4:48:13 PM

I'm good with the order. You may affix my electronic signature and submit to the department for signature.

Alex Ghibaudo, Esq.

From: Sutehall, Kevin M. <KSutehall@foxrothschild.com>
Sent: Tuesday, May 30, 2023 3:24 PM
To: Alex Ghibaudo <alex@glawvegas.com>; Jeffrey S. Allison <jallison@houser-law.com>
Cc: Loffredo, Doreen <dloffredo@foxrothschild.com>; Grossman, John L. <JGrossman@foxrothschild.com>
Subject: Armstrong adv. U.S. Bank Trust/PHH: draft order concerning motions for summary judgment

Alex and Jeff,

Attached is a proposed order concerning the Court's ruling on the parties' respective motions for summary judgment. Because the order is due June 1, 2023, please let us know no later than close of business tomorrow, May 31, 2023, if you approve of the form of the order or if you propose that we make any revisions. If we do not receive a response from you by close of business tomorrow, we will submit the attached version with an appropriate notification concerning a lack of response or whatever else applies. Thanks.

Kevin

Kevin Sutehall

Counsel

Fox Rothschild LLP

1980 Festival Plaza Drive, Suite 700

Las Vegas, NV 89135

(702) 699-5925 - direct

KSutehall@foxrothschild.com

www.foxrothschild.com

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

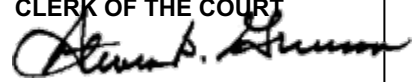
4		
5		
6	Tyrone Armstrong, Plaintiff(s)	CASE NO: A-19-796941-C
7	vs.	DEPT. NO. Department 7
8	US Bank National Association,	
9	Defendant(s)	

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 Summary Judgment was served via the court's
14 electronic eFile system to all recipients registered for e-Service on the above entitled case as
listed below:

15 Service Date: 6/2/2023

16	Kevin Sutehall	ksutehall@foxrothschild.com
17	Jeffrey Allison	jallison@houser-law.com
18	Jeffrey Allison	jallison@houser-law.com
19	Tyrone Armstrong	performanceoneautomotive@gmail.com
20	Doreen Loffredo	dloffredo@foxrothschild.com
21	John Grossman	jgrossman@foxrothschild.com
22	Courtney Hershey	chershey@houser-law.com
23	Alex Ghibaud	alex@alexglaw.com
24		
25		
26		
27		
28		



1 **NEOJ**
2 MARK J. CONNOT (10010)
3 KEVIN M. SUTEHALL (9437)
4 **FOX ROTHSCHILD LLP**
5 1980 Festival Plaza Dr., Suite 700
6 Las Vegas, NV 89135
7 Telephone: (702) 262-6899
8 Facsimile: (702) 597-5503
9 mconnot@foxrothschild.com
10 ksutehall@foxrothschild.com
11 *Attorneys for Defendant U.S. Bank National*
12 *Association, as Trustee for Structured Asset Securities*
13 *Corporation Mortgage Pass-Through Certificates,*
14 *Series 2007-BC3*

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

17 TYRONE KEITH ARMSTRONG,
18
19 Plaintiff,

20 vs.

21 U.S. BANK NATIONAL ASSOCIATION, as
22 Trustee for Structured Asset Securities
23 Corporation Mortgage Pass-Through
24 Certificates, Series 2007-BC3; OCWEN
25 LOAN SERVICING, LCC; PHH
26 MORTGAGE CORPORATION; WESTERN
27 PROGRESSIVE-NEVADA, INC.; BNC
28 MORTGAGE, INC., DOES 1 through 20;
ROE BUSINESS ENTITIES 1 through 20,
Defendants.

Case No.: A-19-796941-C
Dept.: 7

NOTICE OF ENTRY OF ORDER

AND RELATED COUNTERCLAIM

PLEASE TAKE NOTICE that on June 2, 2023, the Court in the above-entitled action entered an **ORDER (1) GRANTING DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S MOTION FOR SUMMARY JUDGMENT; (2) GRANTING DEFENDANT PHH MORTGAGE CORPORATION, FOR ITSELF AND AS SUCCESSOR TO OCWEN LOAN SERVICING, LLC'S MOTION FOR SUMMARY JUDGMENT; AND (3) DENYING PLAINTIFF TYRONE KEITH**

1 **ARMSTRONG’S COUNTER-MOTIONS FOR SUMMARY JUDGMENT**, a copy of which is
2 attached hereto.

3 DATED this 5th day of June, 2023.

4 **FOX ROTHSCHILD LLP**

5
6 /s/ Kevin M. Sutehall
7 MARK J. CONNOT (10010)
8 KEVIN M. SUTEHALL (9437)
9 1980 Festival Plaza Dr., Suite 700
10 Las Vegas, NV 89135
11 *Attorneys for Defendant U.S. Bank National*
12 *Association, as Trustee for Structured Asset*
13 *Securities Corporation Mortgage Pass-Through*
14 *Certificates, Series 2007-BC3*
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

Alex B. Ghibaudo
Law Office of Alex B. Ghibaudo, P.C.
197 E. California Street, Ste. 250
Las Vegas, NV 89104
alex@alexglaw.com
Attorneys for Plaintiff Tyrone Keith Armstrong

Jeffrey S. Allison, Esq.
Houser LLP
6671 S. Las Vegas Blvd.
Las Vegas, NV 89119
jallison@houser-law.com
*Attorneys for Defendants PHH Mortgage Corporation;
PHH Mortgage Corporation, successor to Ocwen Loan Servicing, LLC,
erroneously named; and Western Progressive-Nevada, Inc.*

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **OGSJ**

2 MARK J. CONNOT (10010)

3 KEVIN M. SUTEHALL (9437)

4 **FOX ROTHSCHILD LLP**

5 1980 Festival Plaza Dr., Suite 700

6 Las Vegas, NV 89135

7 Telephone: (702) 262-6899

8 Facsimile: (702) 597-5503

9 mconnot@foxrothschild.com

10 ksutehall@foxrothschild.com

11 *Attorneys for Defendant U.S. Bank National*

12 *Association, as Trustee for Structured Asset Securities*

13 *Corporation Mortgage Pass-Through Certificates,*

14 *Series 2007-BC3*

15 **DISTRICT COURT**

16 **CLARK COUNTY, NEVADA**

17 TYRONE KEITH ARMSTRONG,

18 Plaintiff,

19 vs.

20 U.S. BANK NATIONAL ASSOCIATION, as
21 Trustee for Structured Asset Securities
22 Corporation Mortgage Pass-Through
23 Certificates, Series 2007-BC3; OCWEN
24 LOAN SERVICING, LCC; PHH
25 MORTGAGE CORPORATION; WESTERN
26 PROGRESSIVE-NEVADA, INC.; BNC
27 MORTGAGE, INC., DOES 1 through 20;
28 ROE BUSINESS ENTITIES 1 through 20,

Defendants.

Case No.: A-19-796941-C

Dept.: 7

ORDER (1) GRANTING DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S MOTION FOR SUMMARY JUDGMENT; (2) GRANTING DEFENDANT PHH MORTGAGE CORPORATION, FOR ITSELF AND AS SUCCESSOR TO OCWEN LOAN SERVICING, LLC'S MOTION FOR SUMMARY JUDGMENT; AND (3) DENYING PLAINTIFF TYRONE KEITH ARMSTRONG'S COUNTER-MOTIONS FOR SUMMARY JUDGMENT

22 AND RELATED COUNTERCLAIM

23
24 The following motions came on for hearing on May 18, 2023 at 9:00 a.m., before the
25 Honorable Judge Danielle K. Chio: (1) Defendant U.S. Bank National Association, as Trustee for
26 Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-BC3's
27 ("U.S. Bank Trust's") Motion for Summary Judgment filed on January 17, 2023 (the "U.S. Bank
28 Trust Motion"); (2) Defendant PHH Mortgage Corporation, for itself and as Successor to Ocwen

1 Loan Servicing, LLC's ("PHH's") Motion for Summary Judgment filed on November 14, 2022 (the
2 "PHH Motion"); and (3) Plaintiff Tyrone Keith Armstrong's ("Plaintiff's") Countermotions for
3 Summary Judgment filed on March 14, 2023 ("Plaintiff's Countermotions"). U.S. Bank Trust and
4 PHH may sometimes be referred to collectively as "Defendants."

5 The Court notes the following procedural history:

6 • Plaintiff filed his initial Complaint in this matter on June 18, 2019 (the "Complaint").
7 The Complaint concerned a certain deed of trust recorded by lender, BNC Mortgage, Inc. ("BNC"),
8 on January 25, 2007 (the "2007 Deed of Trust") against Plaintiff's real property located in Clark
9 County, Nevada, which real property is commonly known as 3713 Brentcove Drive, North Las
10 Vegas, Nevada 89032, with Clark County Assessor's Parcel Number 139-09-217-099 (the
11 "Property").

12 • On December 7, 2020, Plaintiff filed a Motion for Leave to File First Amended
13 Complaint ("Motion for Leave to Amend"). In the Motion for Leave to Amend, Plaintiff specifically
14 "set aside" his prior claims of forgery and fraud, among others. *Id.* at 2:21-2:22.

15 • The Motion for Leave to Amend was granted, and Plaintiff filed his First Amended
16 Complaint in this matter on February 27, 2021 (the "First Amended Complaint").

17 • The First Amended Complaint included causes of action for: (1) wrongful foreclosure;
18 (2) quiet title; (3) declaratory relief; and (4) slander of title. Each claim related to the Property, the
19 2007 Deed of Trust, and the related the 2007 adjustable rate note in the amount of \$237,000 between
20 BNC and Plaintiff (the "2007 Note").

21 • After Plaintiff filed the First Amended Complaint, the parties filed cross-motions for
22 summary judgment on Plaintiff's remaining claims.

23 • By order filed August 25, 2021, notice of entry of which was filed August 26, 2021,
24 the Court denied Plaintiff's motion and granted Defendants' countermotions for summary judgment.
25 *See* Notice of Entry of Order Denying Plaintiff's Amended Motion for Partial Summary Judgment
26 and Granting Defendants' Countermotions for Summary Judgment on Statutes of Limitations
27 Grounds, on file. The Court held that all of Plaintiff's claims were barred by their respective statutes
28 of limitations.

1 • Plaintiff filed a notice of appeal. *See* Notice of Appeal dated September 15, 2021, on
2 file.

3 • On August 11, 2022, the Nevada Supreme Court issued an order affirming this Court's
4 decision on all claims except for the quiet title claim, which it reversed and remanded to this Court
5 for further proceedings. *See* Order Affirming in Part, Reversing in Part, and Remanding dated
6 August 11, 2022. As a result, Plaintiff's quiet title claim is the sole remaining cause of action against
7 U.S. Bank Trust and PHH.

8 • PHH filed the PHH Motion on November 14, 2022.
9 • U.S. Bank Trust filed its Joinder to the PHH Motion on January 17, 2023.
10 • U.S. Bank Trust filed the U.S. Bank Trust Motion on January 17, 2023.
11 • PHH filed its joinder to the U.S. Bank Trust motion on January 17, 2023.
12 • Plaintiff filed his Opposition to the PHH Motion and his Countermotion for Summary
13 Judgment on March 14, 2023.

14 • Plaintiff filed his Opposition to U.S. Bank Trust's Motion and his Countermotion for
15 Summary judgment on March 14, 2023.

16 • PHH filed its Reply to Plaintiff's Opposition to Motion for Summary Judgment; and
17 Opposition to Plaintiff's Late Countermotion for Summary Judgment on April 25, 2023.

18 • U.S. Bank Trust filed its Reply in Support of the U.S. Bank Trust Motion; and
19 Opposition to Plaintiff's Countermotion for Summary Judgment on April 25, 2023.

20 • U.S. Bank Trust and PHH each filed joinders to each other's reply briefs on April 25,
21 2023.

22 • The Court heard oral argument on the U.S. Bank Motion, the PHH Motion, and
23 Plaintiff's Countermotions on May 18, 2023.

24 The Court, having reviewed the pleadings and papers on file herein, and having heard the
25 arguments of counsel, and good cause appearing, **FINDS AND ORDERS AS FOLLOWS:**

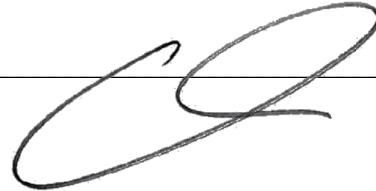
26 For the reasons set forth in the U.S. Bank Trust Motion, the PHH Motion, and U.S. Bank
27 Trust's and PHH's respective reply briefs and oppositions to Plaintiff's Countermotions, and because
28 there are no genuine disputes as to any material fact, and because U.S. Bank Trust and PHH are

entitled to judgment as a matter of law, summary judgment be and the same is hereby **GRANTED** in favor of U.S. Bank Trust and PHH;

For the reasons set forth in Defendants' respective briefs, the Court **DENIES** Plaintiff's Countermotions; and

IT IS SPECIFICALLY ORDERED that Plaintiff's sole remaining claim in the First Amended Complaint, for quiet title, is dismissed with prejudice.

Dated this 2nd day of June, 2023



Submitted by:

FOX ROTHSCHILD LLP

/s/ Kevin M. Sutehall

MARK J. CONNOT (10010)
KEVIN M. SUTEHALL (9437)
1980 Festival Plaza Dr., Suite 700
Las Vegas, NV 89135
*Attorneys for Defendant U.S. Bank National
Association, as Trustee for Structured
Asset Securities Corporation Mortgage
Pass-Through Certificates, Series 2007-BC3*

**98C 766 D20A B148
Danielle Chio
District Court Judge**

Approved:

HOUSER LLP

/s/ Jeffrey S. Allison

JEFFREY S. ALLISON (8949)
9970 Research Drive
Irvine, California 92675
6671 S. Las Vegas Blvd. Building D, Ste. 210
Las Vegas, Nevada 89119
jallison@houser-law.com
*Attorneys for Defendants PHH Mortgage Corporation,
for itself and as Successor to Ocwen Loan Servicing, LLC*

ALEX B. GHIBAUDO, P.C.

/s/ Alex B. Ghibaud

ALEX B. GHIBAUDO (10592)
197 E. California Street, Ste. 250
Las Vegas, Nevada 89104
alex@glawvegas.com
Attorney for Plaintiff Tyrone Keith Armstrong

From: [Jeffrey S. Allison](#)
To: [Sutehall, Kevin M.](#)
Cc: [Loffredo, Doreen](#); [Grossman, John L.](#); [Alex Ghibaudo](#)
Subject: [EXT] RE: Armstrong adv. U.S. Bank Trust/PHH: draft order concerning motions for summary judgment
Date: May 30, 2023 3:30:27 PM
Attachments: [ORDER GR MSJ\(145954791.1\)-C.docx](#)

Kevin,

Approved. You may affix my signature. Thanks,

Jeffrey S. Allison

Senior Attorney

HOUSER LLP

9970 Research Drive, Irvine, CA 92618

P: (949) 679-1111 F: (949) 679-1112

www.houser-law.com

Offices in Arizona, California, Connecticut, Massachusetts,
Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon & Washington

Admitted to Practice in California & Nevada.

This electronic message contains information from the law firm of Houser LLP. The contents may be privileged and confidential and are intended for the use of the intended addressee(s) only. If you are not an intended addressee, note that any disclosure, copying, distribution, or use of the contents of this message is prohibited. If you have received this e-mail in error, please contact me at jallison@houser-law.com

From: Sutehall, Kevin M. <KSutehall@foxrothschild.com>

Sent: Tuesday, May 30, 2023 3:24 PM

To: Alex Ghibaudo <alex@glawvegas.com>; Jeffrey S. Allison <jallison@houser-law.com>

Cc: Loffredo, Doreen <dloffredo@foxrothschild.com>; Grossman, John L.

<JGrossman@foxrothschild.com>

Subject: Armstrong adv. U.S. Bank Trust/PHH: draft order concerning motions for summary judgment

Alex and Jeff,

Attached is a proposed order concerning the Court's ruling on the parties' respective motions for summary judgment. Because the order is due June 1, 2023, please let us know no later than close of business tomorrow, May 31, 2023, if you approve of the form of the order or if you propose that we make any revisions. If we do not receive a response from you by close of business tomorrow, we will submit the attached version with an appropriate notification concerning a lack of response or whatever else applies. Thanks.

Kevin

Kevin Sutehall

Counsel

Fox Rothschild LLP

1980 Festival Plaza Drive, Suite 700

Las Vegas, NV 89135

(702) 699-5925 - direct

KSutehall@foxrothschild.com

www.foxrothschild.com

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

From: [Alex Ghibaudo](#)
To: [Sutehall, Kevin M.](#); [Jeffrey S. Allison](#)
Cc: [Loffredo, Doreen](#); [Grossman, John L.](#)
Subject: [EXT] RE: Armstrong adv. U.S. Bank Trust/PHH: draft order concerning motions for summary judgment
Date: May 30, 2023 4:48:13 PM

I'm good with the order. You may affix my electronic signature and submit to the department for signature.

Alex Ghibaudo, Esq.

From: Sutehall, Kevin M. <KSutehall@foxrothschild.com>
Sent: Tuesday, May 30, 2023 3:24 PM
To: Alex Ghibaudo <alex@glawvegas.com>; Jeffrey S. Allison <jallison@houser-law.com>
Cc: Loffredo, Doreen <dloffredo@foxrothschild.com>; Grossman, John L. <JGrossman@foxrothschild.com>
Subject: Armstrong adv. U.S. Bank Trust/PHH: draft order concerning motions for summary judgment

Alex and Jeff,

Attached is a proposed order concerning the Court's ruling on the parties' respective motions for summary judgment. Because the order is due June 1, 2023, please let us know no later than close of business tomorrow, May 31, 2023, if you approve of the form of the order or if you propose that we make any revisions. If we do not receive a response from you by close of business tomorrow, we will submit the attached version with an appropriate notification concerning a lack of response or whatever else applies. Thanks.

Kevin

Kevin Sutehall

Counsel

Fox Rothschild LLP

1980 Festival Plaza Drive, Suite 700

Las Vegas, NV 89135

(702) 699-5925 - direct

KSutehall@foxrothschild.com

www.foxrothschild.com

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Tyrone Armstrong, Plaintiff(s) | CASE NO: A-19-796941-C
7 vs. | DEPT. NO. Department 7
8 US Bank National Association,
9 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 Summary Judgment was served via the court's
14 electronic eFile system to all recipients registered for e-Service on the above entitled case as
listed below:

15 Service Date: 6/2/2023

16 Kevin Sutehall	ksutehall@foxrothschild.com
17 Jeffrey Allison	jallison@houser-law.com
18 Jeffrey Allison	jallison@houser-law.com
19 Tyrone Armstrong	performanceoneautomotive@gmail.com
20 Doreen Loffredo	dloffredo@foxrothschild.com
21 John Grossman	jgrossman@foxrothschild.com
22 Courtney Hershey	chershey@houser-law.com
23 Alex Ghibaud	alex@alexglaw.com

24
25
26
27
28

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

July 10, 2019

A-19-796941-C	Tyrone Armstrong, Plaintiff(s) vs. US Bank National Association, Defendant(s)
---------------	--

July 10, 2019	9:00 AM	Motion for Temporary Restraining Order
----------------------	----------------	---

HEARD BY: Holthus, Mary Kay	COURTROOM: RJC Courtroom 03F
------------------------------------	-------------------------------------

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Armstrong, Tyrone Keith	Plaintiff
-----------------	-------------------------	-----------

JOURNAL ENTRIES

- Ramin Zaeeti present on behalf of Tyrone Armstrong.

Court noted it was concerned that no one from the bank would show up; further indicating the affidavit of service was filed on July 2, 2019 and the Bank filed a Motion last night, July 9, 2019. Mr. Zaeeti noted they had filed a document and served. Court inquired if Mr. Armstrong has spoke with the Bank, because the Court believed someone with the same name received a second mortgage on Mr. Armstrong's house and the Court didn't know how that could be fixed. Court noted it would keep Temporary Restraining Order (TRO) in effect; further noted, the bank filed the Motion last night, July 9, 2019 and they canceled the scheduled foreclosure sale. COURT ORDERED, matter CONTINUED for 30 days. Court noted it seemed as though there was a typo and it would try to get someone from the bank to be present. Mr. Armstrong requested an order to serve someone. Court noted it appears service had been effective; therefore, the bank had until July 23, 2019 to answer Complaint as long as they stop the sale.

7/31/19 9:00 AM CONTINUED: MOTION FOR TEMPORARY RESTRAINING ORDER

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

July 31, 2019

A-19-796941-C	Tyrone Armstrong, Plaintiff(s) vs. US Bank National Association, Defendant(s)
---------------	--

July 31, 2019	9:00 AM	Motion for Temporary Restraining Order
----------------------	----------------	---

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Armstrong, Tyrone Keith Plaintiff

JOURNAL ENTRIES

- Edward Vargas, Esq. present on for Plaintiff.

Court noted there was no need for the Temporary Restraining Order (TPO) because there was no foreclosure sale. Statements by Mr. Vargas regarding foreclosure sale. Court indicated it couldn't do anything about it; however, if they tried anything again parties would have to come back and the Court would proceed accordingly. Colloquy between parties regarding case facts. Following colloquy, Ramin Zabeti spoke on behalf of Mr. Armstrong stating it appears the bank had something that resembles Mr. Armstrong's signature and driver's license which was used on loan documents. Statements by Mr. Vargas indicating fraud. Court noted MATTER TRAILED to look into getting the bank on the phone.

MATTER RECALLED. Same parties present. Law Clerk advised parties the District Attorney's Office had been contacted, and noted the bank was located in California; however, they would be able to appear by phone that afternoon at 2:30 pm. COURT ORDERED, matter CONTINUED until the afternoon.

7/31/19 2:30 PM CONTINUED: MOTION FOR TPO

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****July 31, 2019**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
 vs.
 US Bank National Association,
 Defendant(s)

July 31, 2019**2:30 PM****Motion for Temporary
Restraining Order****HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES****PRESENT:** Armstrong, Tyrone Keith Plaintiff**JOURNAL ENTRIES**

- Jeffery Allison, Esq. present for Deft. via Conference Call. Edward Vargas, Esq. present on behalf of Deft.

Court advised Mr. Allison it placed the instant matter on calendar to figure out what was going on. Mr. Allison indicated they did not receive notice of the instant hearings. Court inquired if Mr. Allison had looked into the instant case at all. Mr. Allison advised there wasn't a foreclosure sale going forward and sale was on hold; therefore, as long as there was a hold nothing would take place. Colloquy between parties regarding facts of case. Court noted Mr. Armstrong stated the loan was paid in full a couple of years ago. Statements by Mr. Allison. Mr. Vargas advised Mr. Allison to follow the money and see who was making payments. Upon Court's inquiry, Mr. Allison indicated there was a Motion to Dismiss on for September 4, 2019; however, he had a conflict with date and would be requesting that Motion continued to the following week. COURT SO ORDERED. Court advised Mr. Allison to get any documents for Plaintiff to pursue information ahead of time. Mr. Allison requested that Plaintiff provide any documentation to show this might be fraud or identity theft, and include any conclusions that had been reached. Mr. Vargas indicated Deft. had police report, IRS identity theft claim and a claim with North Las Vegas Police Report. Mr. Vargas indicated

he would send documents over. COURT DIRECTED Mr. Allison to take a look at the original note, where funds were released and who was making payments. COURT FURTHER ORDERED, Ex parte Motion for a Temporary Restraining Order was hereby VACATED and Motion to Dismiss was continued. Parties agreed that order would be sufficient as opposed to an Order.

9/25/19 9:00 AM MOTION TO DISMISS

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

October 01, 2019

A-19-796941-C	Tyrone Armstrong, Plaintiff(s) vs. US Bank National Association, Defendant(s)
---------------	--

October 01, 2019

4:20 PM

Minute Order

HEARD BY: Holthus, Mary Kay

COURTROOM: Chambers

COURT CLERK: Dara Yorke

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- This COURT FINDS, Defendant BNC Mortgage, Inc., filed a Notice of Bankruptcy on September 20, 2019. Therefore, pursuant to 11 U.S.C. 362(a)(1) and (362)(a)(3) of the Bankruptcy Code, the filing of the Notice of Bankruptcy operates as a Stay of the commencement or continuation of a judicial, administrative, or other action or proceeding against the debtor. Therefore, COURT ORDERS, any action against Defendant BNC Mortgage, Inc. is stayed and Plaintiff s Motion Prove-Up Hearing against Defendant BNC Mortgage, Inc., having been scheduled before this Court on October 23, 2019, is hereby vacated.

CLERK'S NOTE: The above minute order has been distributed to: Colt B. Dodrill, Esq. -
cbdodrill@wolfewyman.com and
Keith Armstrong, Proper Person- performanceoneautomotive@gmail.com //10-1-19/ dy

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

November 13, 2019

A-19-796941-C	Tyrone Armstrong, Plaintiff(s) vs. US Bank National Association, Defendant(s)
---------------	--

November 13, 2019 9:00 AM

All Pending Motions

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Allison, Jeffrey S. Armstrong, Tyrone Keith Sutehall, Kevin M.	Attorney Plaintiff Attorney
-----------------	--	-----------------------------------

JOURNAL ENTRIES

- Ed Vargas, Esq. present for Plaintiff in limited capacity.

NOTICE OF MOTION AND MOTION TO DISMISS COMPLAINT; REQUEST FOR JUDICIAL NOTICE...PLAINTIFF'S OPPOSITION TO MOTION TO DISMISS AND COUNTERMOTION FOR SUMMARY JUDGMENT; OR ALTERNATIVELY MOTION FOR CONTINUANCE UNDER NRCP 56(d)...PLAINTIFF'S MOTION TO STRIKE DEFENDANT US BANK'S REPLY FILED ON November 6, 2019; AND EX PARTE MOTION FOR AN ORDER SHORTENING TIME

Statements by Mr. Vargas. Court noted the instant case was disturbing; additionally, it didn't know what more Mr. Armstrong could do with the claims being ongoing for some time, and still the question of where the funds went. Arguments by Mr. Sutehall. Arguments by Mr. Allison. Court noted it was looking for the original note, payout or any documents. Following colloquy, COURT ORDERED, Notice of Motion and Motion to Dismiss Complaint; Request For Judicial Notice was hereby DENIED; Plaintiff's Opposition to Motion to Dismiss and Countermotion For Summary Judgment; Or Alternatively Motion For Continuance Under NRCP 56(d) was hereby DENIED; and

Plaintiff's Motion To Strike Defendant Us Bank's Reply Filed On November 6, 2019; and Ex Parte Motion For An Order Shortening Time was hereby DENIED. Court FINDS more discovery needed to be completed. Parties to prepare their respective Orders and submit to opposing counsel for approval as to form and content.

CLERK'S NOTE: The above minute order has been distributed to: Tyrone Armstrong (nevadastateliens@aol.com), Jeffrey Allison, Esq. (jallison@houser-law.com), and Kevin Sutehall, Esq. (ksutehall@foxrothschild.com) //11-18-19/ dy

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

April 15, 2020

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

**April 15, 2020 9:00 AM Mandatory Rule 16
Conference**

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Allison, Jeffrey S. Attorney
Armstrong, Tyrone Keith Plaintiff
Sutehall, Kevin M. Attorney

JOURNAL ENTRIES

- Tyrone Armstrong, Plaintiff, Jeffrey Allison, Esq, and Kevin Sutehall, Esq. present via Court Call.

Mr. Sutehall indicated Plaintiff wasn't disclosing damages until the middle of October 2020. Court referred parties to Judge Wiese's Department; further, advised parties to contact Department 30 to set up a settlement conference if needed. COURT ORDERED, discovery cutoff is January 7, 2021; adding parties, amended pleadings, and initial expert disclosures DUE October 8, 2020; rebuttal expert disclosures DUE November 6, 2020; dispositive motions TO BE FILED BY February 5, 2021, trial ready date April 5, 2021.

6/16/21 9:00 AM CALENDAR CALL

6/28/21 1:00 PM BENCH TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****October 21, 2020**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
 vs.
 US Bank National Association,
 Defendant(s)

October 21, 2020 10:00 AM Motion for Discovery

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT: Allison, Jeffrey S. Attorney
 Armstrong, Tyrone Keith Plaintiff
 Sutehall, Kevin M. Attorney

JOURNAL ENTRIES

- Tyrone Armstrong, Jeffrey Allison, Esq and Kevin Sutehall, Esq. present via Bluejeans video conference.

Colloquy between parties. Arguments by Mr. Sutehall. Court noted trials were likely to be moved in time; therefore, ORDERED, Motion to Extend Discovery Deadlines on OST were hereby GRANTED due to COVID-19. Mr. Armstrong agreed to more time; however, requested that the Court lock counsel into a firm date. Arguments by Mr. Sutehall and Mr. Allison. Colloquy between parties regarding trial dates. Following colloquy, Court indicated it would leave dates in place with the understanding they would try to get to it. COURT FURTHER ORDERED, discovery cutoff is April 8, 2021; adding parties, amended pleadings, and initial expert disclosures DUE January 8, 2021; rebuttal expert disclosures DUE February 8, 2021; dispositive motions TO BE FILED BY May 7, 2021. COURT FURTHER ORDERED, trial date STANDS. Mr. Sutehall to prepare the Order and submit for approval as to form and content. Court inquired if Mr. Armstrong was able to get an attorney through Pro Bono, which he indicated he wasn't.

A-19-796941-C

6/16/21 9:00 AM CALENDAR CALL

6/28/21 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****November 24, 2020**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
 vs.
 US Bank National Association,
 Defendant(s)

November 24, 2020	9:00 AM	Motion for Protective Order	Objection to Defendant U.S. Bank's Motion to Issue Subpoena Duces Tecum and Plaintiff's Motion for a Protective Order
--------------------------	----------------	--	--

HEARD BY: Truman, Erin**COURTROOM:** RJC Level 5 Hearing Room**COURT CLERK:** Jennifer Lott**RECORDER:** Francesca Haak**REPORTER:****PARTIES**

PRESENT:	Allison, Jeffrey S. Armstrong, Tyrone Keith Sutehall, Kevin M.	Attorney Plaintiff Attorney
-----------------	--	-----------------------------------

JOURNAL ENTRIES

- Mr. Armstrong stated the 2004 loan was satisfied in 2016. Argument by Mr. Armstrong. If Commissioner grants the Subpoena, can it be limited or tailored? Mr. Sutehall stated Plaintiff's Motion for Protective Order was untimely, and Mr. Armstrong opposed many forms of discovery, and a discovery continuance. Mr. Sutehall provided a history of the case; this Motion concerns a 2004 loan, and Plaintiff claims the 2004 loan was settled or satisfied on 10-26-2016, but Plaintiff failed to provide documents. Mr. Sutehall asked for documentation on the 2004 loan. Nothing further from Mr. Allison.

COMMISSIONER RECOMMENDED, motion is GRANTED IN PART and DENIED IN PART; alternative relief provided; Deft will Subpoena bank records from 2007 and 2016 from the entities requested; Plaintiff is allowed 30 days to obtain copies of all payments, checks to Bank of America regarding the 2004 loan; anything in bank records for BAC and Bank of America regarding the loan at issue. If Plaintiff has not provided the documents within 30 days, Commissioner may allow additional bank records to Deft. COMMISSIONER RECOMMENDED, Deft will Subpoena tax records, and utility providers to see who paid them; within 14 days, Mr. Armstrong will provide utilities account numbers for the property at issue, and the parcel number and address.

Mr. Sutehall requested homeowner insurance carriers. COMMISSIONER RECOMMENDED, provide policy numbers from all carriers who maintained insurance on the property from 2004 through 2016; if information is not provided, then more bank records may be obtained from the bank. Discovery cutoff is April 2021. COMMISSIONER RECOMMENDED, Plaintiff will provide the information within two weeks, by 12-8-2020; Status Check SET. Commissioner modified the Subpoenas to the banks for January 1st through December 31st for 2007 and 2016.

Mr. Sutehall to prepare the Report and Recommendations, and Plaintiff and Mr. Allison to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.

12-18-2020 9:30 a.m. Status Check: Plaintiff's compliance

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

December 17, 2020

A-19-796941-C	Tyrone Armstrong, Plaintiff(s)
	vs.
	US Bank National Association,
	Defendant(s)

December 17, 2020 9:30 AM

All Pending Motions

HEARD BY: Truman, Erin

COURTROOM: RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER: Francesca Haak

REPORTER:

PARTIES

PRESENT:	Allison, Jeffrey S.	Attorney
	Armstrong, Tyrone Keith	Plaintiff
	Sutehall, Kevin M.	Attorney

JOURNAL ENTRIES

- Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-B3's Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong

Objection to Defendant U.S. Bank's Motion to Compel NRCP 35 Examination Upon Plaintiff and Motion for Protective Order

Argument by Mr. Sutehall. Mr. Allison deferred to Mr. Sutehall. Mr. Armstrong stated the case is about proof of payment. Argument by Mr. Armstrong. Upon Commissioner's inquiry, Plaintiff stated his brain injury occurred in 2001 from a car accident. Mr. Armstrong has sought treatment since 2001, but Mr. Armstrong invoked the privilege of a doctor and patient relationship. Upon Commissioner's inquiry, Mr. Sutehall has not requested medical records from Plaintiff for five years prior to the signing of documents. Argument by Mr. Sutehall. Mr. Armstrong offered to provide documents today.

COMMISSIONER RECOMMENDED, Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2007-B3's Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong is DENIED WITHOUT PREJUDICE; alternative relief was provided, and Deft will first obtain Plaintiff's medical records from five years prior for mental health and cognitive difficulties; the Motion for a Rule 35 examination can be renewed if the Court extends the dates. COMMISSIONER RECOMMENDED, Status Check SET.

COMMISSIONER RECOMMENDED, Objection to Defendant U.S. Bank's Motion to Compel NRCP 35 Examination Upon Plaintiff and Motion for Protective Order is GRANTED IN PART and DENIED IN PART as stated. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Armstrong and Mr. Allison to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.

1-29-2021 9:30 a.m. Status Check: Medical discovery

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****December 18, 2020**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

December 18, 2020**9:30 AM****Status Check****Status Check:****Plaintiff's compliance****HEARD BY:** Truman, Erin**COURTROOM:** RJC Level 5 Hearing Room**COURT CLERK:** Jennifer Lott**RECORDER:** Francesca Haak**REPORTER:****PARTIES****PRESENT:** Sutehall, Kevin M.

Attorney

JOURNAL ENTRIES

- Mr. Sutehall stated Plaintiff complied with the fourth paragraph of the Recommendation, and counsel is waiting for documents from the Subpoena for bank records. Mr. Sutehall stated Plaintiff is claiming he is indigent, he cannot pay the bank copy costs, and he cannot provide documents due to a flood at his house. Argument by Mr. Sutehall; counsel requested proof of payment on the loan. Mr. Sutehall requested to enlarge the Subpoena to provide documents. Commissioner stated the information is not due from Plaintiff until 12-24-2020. COMMISSIONER RECOMMENDED, by 12-24-2020, copies of payments and checks are due from Plaintiff regarding the loan at issue; matter CONTINUED.

12-31-2020 10:00 a.m. Status Check: Plaintiff's compliance

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jennifer Lott, to all registered parties for Odyssey File & Serve. jl

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****December 31, 2020**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
 vs.
 US Bank National Association,
 Defendant(s)

December 31, 2020**10:00 AM****Status Check**

Status Check:
Plaintiff's
Compliance

HEARD BY: Truman, Erin**COURTROOM:** RJC Level 5 Hearing Room**COURT CLERK:** Jennifer Lott**RECORDER:** Francesca Haak**REPORTER:****PARTIES**

PRESENT: Armstrong, Tyrone Keith Plaintiff
 Sutehall, Kevin M. Attorney

JOURNAL ENTRIES

- Argument by Mr. Sutehall and Mr. Armstrong. COMMISSIONER RECOMMENDED, US Bank will Subpoena the records for the relevant timeframe in the prior Report and Recommendation for payments made to the loan; upon Mr. Sutehall's request, Commissioner allowed from the date of the loan through 2017. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Armstrong to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

January 06, 2021

A-19-796941-C	Tyrone Armstrong, Plaintiff(s) vs. US Bank National Association, Defendant(s)
---------------	--

January 06, 2021 10:00 AM Motion for Leave

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Allison, Jeffrey S. Armstrong, Tyrone Keith Sutehall, Kevin M.	Attorney Plaintiff Attorney
-----------------	--	-----------------------------------

JOURNAL ENTRIES

- Tyrone Armstrong, Jeffrey Allison, Esq. and Kevin Sutehall, Esq. present via Bluejeans video conference.

Upon Court's inquiry, statements by Mr. Armstrong. Following statements, COURT ORDERED, Plaintiff's Motion for Leave to File First Amended Complaint was hereby GRANTED due to not being technically unopposed. Upon Court's inquiry, arguments by Mr. Sutehall requesting trial date be set later on in the year. Court advised it would give some time; however, would like for parties to think of resetting the trial date and go back to Commissioner Truman and figure out settlement issues. Mr. Armstrong noted there was a Motion pending for Summary Judgment on April 28, 2021. Court advised Mr. Armstrong he may need to amend his Motion. Further statements by Mr. Armstrong. Following colloquy, Court further indicated it would give defense additional time in discovery. Colloquy between parties regarding trial setting. Following colloquy, COURT ORDERED, trial VACATED and RESET.

8/25/21 9:00 AM CALENDAR CALL

9/7/21 1:00 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****January 29, 2021**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
 vs.
 US Bank National Association,
 Defendant(s)

January 29, 2021**9:30 AM****Status Check****Status Check:
Medical discovery****HEARD BY:** Truman, Erin**COURTROOM:** RJC Level 5 Hearing Room**COURT CLERK:** Jennifer Lott**RECORDER:** Francesca Haak**REPORTER:****PARTIES**

PRESENT: Armstrong, Tyrone Keith Plaintiff
 Sutehall, Kevin M. Attorney

JOURNAL ENTRIES

- Mr. Armstrong stated he provided documents to Defense counsel in accordance with Commissioner's Recommendation. Arguments by Mr. Armstrong and Mr. Sutehall. COMMISSIONER RECOMMENDED, Mr. Armstrong is required to provide HIPAA compliant authorizations within one week from today, by 2-5-2021. Colloquy. Mr. Sutehall will serve Mr. Armstrong by Monday or Tuesday; if authorizations are provided at that time, Plaintiff must return signed provider specific, HIPAA compliant authorizations within one week from the date Mr. Armstrong received it. If there are any objections, bring it to the Court immediately. If authorizations are not signed, Commissioner stated Mr. Sutehall can prepare a Motion to Compel.

COMMISSIONER RECOMMENDED, Status Check SET. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Armstrong to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.

3-5-2021 9:30 a.m. Status Check: Medical discovery / authorizations

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

February 22, 2021

A-19-796941-C	Tyrone Armstrong, Plaintiff(s) vs. US Bank National Association, Defendant(s)
---------------	--

February 22, 2021

3:00 PM

Minute Order

HEARD BY: Holthus, Mary Kay

COURTROOM: Chambers

COURT CLERK: Dara Yorke

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- This Court, having reviewed the pleadings and papers on file herein, upon the request of the above-named Defendant US Bank National Association, through counsel Kevin M. Sutehall, Esq., and for good cause appearing, IT IS HEREBY ORDERED that upon request of this Court, Exhibit 2-A to Defendant US Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certifications, Series 2007 BC3 s Renewed Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong shall be filed under seal pursuant to Nevada Rules Governing Sealing and Redacting Court Records, Rule 3.

CLERK'S NOTE: The above minute order has been electronically served to parties via email and/or Odyssey File & Serve. // 2-22-21/ dy

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

March 02, 2021

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

March 02, 2021 9:30 AM All Pending Motions

HEARD BY: Truman, Erin

COURTROOM: RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER: Francesca Haak

REPORTER:

PARTIES

PRESENT: Armstrong, Tyrone Keith Plaintiff
 Sutehall, Kevin M. Attorney
 Wood, Brittany Attorney

JOURNAL ENTRIES

- ATTORNEY PRESENT: Edward Vargas, #8702, present for Plaintiff in an unbundled capacity.

(1) Plaintiff's Motion for Protective Order

(2) Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass through Certificates, Series 2007-BC3 S Renewed Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong Hearing on Shortened Time

(3) Plaintiff's Motion to Compel Production of Documents from First American Title Insurance Company

Argument by Mr. Vargas regarding a title insurance claim made in 2015, and counsel doesn't know how the attorney client privilege applies. Argument by Mr. Vargas. Ms. Wood stated 2019 is the

only claim she is aware of, it was identified on documents in the privilege log, and in the Subpoena. The property is 3713 Brentcove, North Las Vegas, NV 89032. Ms. Wood stated First American Title Insurance Company was not the policy issuing Agent, however, her office already agreed to accept service on the Subpoena to look for documents. COMMISSIONER RECOMMENDED, (3) Plaintiff's Motion to Compel Production of Documents from First American Title Insurance Company is DENIED; alternative relief provided; Plaintiff is allowed to re-serve a Subpoena on First American Title Insurance Company for any and all claims for the property at 3713 Brentcove, North Las Vegas, NV 89032 from 2015 through the present time.

COMMISSIONER RECOMMENDED, once the documents and privilege log are produced, counsel must meet and confer. Ms. Wood agreed to accept service on a modified Subpoena. COMMISSIONER RECOMMENDED, issue the Subpoena as soon as possible, and respond as soon as possible; Status Check SET in 30 days. Ms. Wood will work with counsel if a different Status Check date is needed, and contact the Discovery office. After serving the Subpoena for Plaintiff, Mr. Vargas will prepare a Notice of Withdrawal. Mr. Vargas to prepare the Report and Recommendations, and counsel to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCCR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.

Ms. Wood is not a party in the case, therefore, she disconnected from the Hearing.

Colloquy regarding Ramin Zabeti, a percipient witness. Commissioner can look at documents 1 through 3 in camera. Argument by Mr. Sutehall. Colloquy regarding a Subpoena to a Third Party. COMMISSIONER RECOMMENDED, (1) Plaintiff's Motion for Protective Order is GRANTED IN PART and DENIED IN PART; all communications between Ramin Zabeti and Plaintiff must be responded to for this property dispute; any documents requested related to the Subpoena within Ramin Zabeti's possession, custody, or control must be produced. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Vargas to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCCR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.

Commissioner stated a Rule 35 examination is not proportional to this case as Mr. Armstrong's capacity cannot be assessed at the time the Contract was entered into (2007). Commissioner stated an Evidentiary Hearing may be appropriate. Argument by Mr. Sutehall. COMMISSIONER RECOMMENDED, (2) Defendant U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass through Certificates, Series 2007-BC3 S Renewed Motion to Compel NRCP 35 Examination of Plaintiff Tyrone Keith Armstrong Hearing is DENIED; alternative relief provided; Plaintiff is Directed to identify his health insurance Carrier since he is not providing medical providers; Commissioner allowed the medical health Carrier since 2007, and Deft is allowed to Subpoena a List of claims since 2007 to obtain the records directly from the Carrier. Mr. Vargas stated Mr. Armstrong has been on Medicare about 20 years.

COMMISSIONER RECOMMENDED, Mr. Armstrong must contact Medicare, and provide a printout of medical providers who submitted claims on Mr. Armstrong's behalf including mental health treatment; provide the information to Defts within two weeks. Colloquy. COMMISSIONER RECOMMENDED, by 3-16-2021, Mr. Armstrong is required to request the information from Medicare, but redact the amount of treatment; names of providers including mental health, or for cognitive issues must remain unredacted; redact the names of providers who are not related to this issue; provide to Mr. Sutehall a copy of the correspondence, and the Request to Medicare. Mr. Sutehall to prepare the Report and Recommendations, and Mr. Vargas to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.

At the request of counsel, COMMISSIONER RECOMMENDED, the 3-5-2021 Status Check is VACATED.

3-19-2021 9:30 a.m. Status Check: Medicare claims

4-2-2021 9:30 A.M. Status Check: Subpoena to First American Title Insurance Company

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****March 19, 2021**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
 vs.
 US Bank National Association,
 Defendant(s)

March 19, 2021**10:00 AM****Status Check**

Status Check:
Medicare claims

HEARD BY: Young, Jay**COURTROOM:** RJC Level 5 Hearing Room**COURT CLERK:** Jennifer Lott**RECORDER:** Francesca Haak**REPORTER:****PARTIES**

PRESENT:	Armstrong, Tyrone Keith	Plaintiff
		Counter Defendant
	Sutehall, Kevin M.	Attorney

JOURNAL ENTRIES

- Mr. Armstrong submitted a Declaration last night, and Mr. Sutehall reviewed it. COMMISSIONER RECOMMENDED, matter CONTINUED two weeks to determine if documentation is provided, and proof of submission is submitted by Mr. Armstrong. If the documents are submitted to Mr. Sutehall before 4-2-2021, Plaintiff and Mr. Sutehall's appearance is not needed. Mr. Sutehall addressed the Declaration, and it is not clear what Mr. Armstrong is asking for; records from Medicare are needed, but Mr. Armstrong requested records from the Social Security Administration. Mr. Armstrong always goes through Social Security for his medical records. Commissioner stated the records are being provided to avoid a Rule 35 examination, and records from medical providers must be provided from Medicare. If Mr. Armstrong has asked the wrong entity for documents, and the records are not provided to Deft, Commissioner will be Strongly Inclined to Order a Rule 35 examination. Mr. Armstrong understood the Commissioner's concerns. Commissioner stated providing the records was an effort to protect Mr. Armstrong's privacy, but Mr. Armstrong may be seeking the records from the wrong entity.

4-2-2021 10:00 a.m. Status Check: Medicare claims

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****April 02, 2021**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
 vs.
 US Bank National Association,
 Defendant(s)

April 02, 2021**10:00 AM****All Pending Motions****HEARD BY:** Young, Jay**COURTROOM:** RJC Level 5 Hearing Room**COURT CLERK:** Jennifer Lott**RECORDER:** Francesca Haak**REPORTER:****PARTIES****PRESENT:**

Allison, Jeffrey S.	Attorney
Armstrong, Tyrone Keith	Plaintiff
	Counter Defendant
Sutehall, Kevin M.	Attorney
Wood, Brittany	Attorney

JOURNAL ENTRIES

- Status Check: Subpoena to First American Title Insurance Company

Status Check: Medicare claims

Mr. Armstrong filed a Declaration last night. Mr. Sutehall addressed the medical EOBs, the fragmented partial production of mental health records, and Mr. Sutehall requested a HIPAA release. Mr. Armstrong stated the records were requested 3-19-2021. Colloquy. COMMISSIONER RECOMMENDED, Status Check SET in 30 days. Commissioner will alert Judge Holthus of the issue, and counsel would request an extension from Judge Holthus.

Ms. Woods stated her client is a non-party, and Mr. Armstrong served a Subpoena on her client. Argument by Ms. Woods regarding production of documents from the 2015 claim, and Ms. Woods

agreed to provide a COR Affidavit in response to the second Subpoena. If Plaintiff believes the privilege log is inappropriate, Commissioner stated Plaintiff must reach out to Ms. Woods. Counsel offered to produce the documents for an in camera review. Argument by Mr. Armstrong. COMMISSIONER RECOMMENDED, Status Check SET for Commissioner to review the privilege log in camera. Commissioner will review the Motion and the pleadings. Submit the in camera by dropping it off in person, or mailing it to DiscoveryInbox@clarkcountycourts.us.

5-7-2021 10:00 a.m.

Status Check: Subpoena to First American Title / Medicare claims / In camera review of privilege log

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****May 14, 2021**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

May 14, 2021**10:00 AM****Status Check**

Status Check:
Subpoena to First
American Title /
Medicare claims / In
camera review of
privilege log

HEARD BY: Young, Jay**COURTROOM:** RJC Level 5 Hearing Room**COURT CLERK:** Jennifer Lott**RECORDER:** Francesca Haak**REPORTER:****PARTIES**

PRESENT:	Armstrong, Tyrone Keith	Plaintiff
		Counter Defendant
	Sutehall, Kevin M.	Attorney
	Wood, Brittany	Attorney

JOURNAL ENTRIES

- Commissioner reviewed the documents in camera submitted by First American Title Insurance Company, and each document was properly withheld based on privilege. Ms. Wood to prepare the Report and Recommendations, and Mr. Armstrong has 48 hours to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.

6-4-2021 10:00 a.m. Status Check: Compliance / 5-14-2021 DCRR

During the Hearing, Mr. Armstrong sent a message to Discovery stating he is present, but he was muted. Colloquy. Court Recorder unmuted Mr. Armstrong.. Mr. Armstrong received the second set of Medicare records, and served them on Deft. Mr. Armstrong received one page out of 188 pages from the 2015 title insurance claim. Argument by Mr. Armstrong. Mr. Sutehall stated Ms. Wood disconnected from the Hearing as she was part of the prior discussion. Mr. Armstrong heard Commissioner's ruling on the in camera submission. Mr. Armstrong requested Commissioner require Ms. Wood to provide the documents. Commissioner advised Mr. Armstrong that he must conduct a meet and confer with Ms. Wood before bringing a Motion before the Commissioner.

Commissioner inquired if the mental health providers were included in the records. Mr. Armstrong didn't look at the records he served on Mr. Sutehall. COMMISSIONER RECOMMENDED, Mr. Armstrong and Mr. Sutehall must conduct a phone or in-person conference; Mr. Armstrong must give Mr. Sutehall a List of mental health providers, or Commissioner will Order a Rule 35 examination. Mr. Armstrong suggested Mr. Sutehall obtain the records. Commissioner stated Mr. Armstrong has the obligation to provide the records.

COMMISSIONER RECOMMENDED, Mr. Armstrong must give a List of providers and mental health providers that Mr. Armstrong treated with, and give it to Mr. Sutehall; if the List is not provided to Mr. Sutehall by 5-21-2021, Commissioner will Grant a Rule 35 examination. COMMISSIONER RECOMMENDED, Status Check SET.

5-21-2021 10:00 A.M. Status Check: Medicare records, and a List of providers, and mental health providers

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Jennifer Lott, to all registered parties for Odyssey File & Serve. jl

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****May 21, 2021**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
 vs.
 US Bank National Association,
 Defendant(s)

May 21, 2021 10:00 AM Status Check

HEARD BY: Young, Jay **COURTROOM:** RJC Level 5 Hearing Room

COURT CLERK: Kathryn Hansen-McDowell

RECORDER: Francesca Haak

REPORTER:

PARTIES

PRESENT: Armstrong, Tyrone Keith Plaintiff
 Counter Defendant
 Sutehall, Kevin M. Attorney

JOURNAL ENTRIES

- Commissioner noted at the last meeting, Mr. Armstrong was instructed to provide a list of medical providers. Mr. Sutehall advised Plaintiff filed a document that identified 6 providers for mental health services, 4 of the names were new; of which 3 out of the 4 have been served a subpoena. However, Plaintiff has objected to the subpoenas. Mr. Sutehall also requested Mr. Armstrong return the HIPPA release. Mr. Armstrong withdrew his objection to the subpoenas. Colloquy regarding the HIPPA release. COMMISSIONER RECOMMENDED: HIPPA releases due by 5/24/2021 and status check SET. Mr. Sutehall to prepare a report and recommendation to include the steps Defendant has taken and that HIPPA releases were due by 5/24/2021, provide to Plaintiff for review and approval and submit to the discovery in box within 14 days of the hearing to avoid a sanction.

06/11/2021 10:00 AM STATUS CHECK

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

June 02, 2021

A-19-796941-C	Tyrone Armstrong, Plaintiff(s) vs. US Bank National Association, Defendant(s)
---------------	--

June 02, 2021

10:00 AM

All Pending Motions

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Michelle Jones

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- APPEARANCES: Edward Vargas, Esq. present in special capacity for Pltf. Kevin Sutehall, Esq. present for Deft. US Bank.

PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT...PLAINTIFF'S AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT VOL. 1...DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORP MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S RESPONSE TO PLAINTIFF'S October 20,2020 MOTION FOR PARTIAL SUMMARY JUDGMENT AND JOINDER TO PHH/OCWEN OPPOSITION TO PLAINTIFF'S MOTION AND AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT; COUNTERMOTION FOR SUMMARY JUDGMENT...JOINDER TO OPPOSITION TO PLAINTIFF'S AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT...OPPOSITION TO PLAINTIFF'S MOTION AND AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT; COUNTER-MOTION FOR SUMMARY JUDGMENT

Arguments by Mr. Vargas and Mr. Sutehall including issues pertaining to material facts, identify theft, and statute of limitations. COURT FINDS issues of act exist; therefore, ORDERED, Motions DENIED with exception to Countermotion on statue of limitations issue. Colloquy regarding time for

briefing the issue. COURT FURTHER ORDERED, Mr. Sutehall to file supplemental brief on statute of limitations by 6/16/21; response to supplement due by 6/30/21; reply brief due by 7/14/21; hearing SET 7/28/21 at 10:00 a.m. Upon inquiry by Mr. Sutehall, Court stated an order may be prepared after the continued hearing.

CONTINUED TO: 7/28/21 10:00 AM DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORP MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S RESPONSE TO PLAINTIFF'S October 20,2020 MOTION FOR PARTIAL SUMMARY JUDGMENT AND JOINDER TO PHH/OCWEN OPPOSITION TO PLAINTIFF'S MOTION AND AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT; COUNTERMOTION FOR SUMMARY JUDGMENT

CLERK'S NOTE: Minutes prepared utilizing the JAVS recording. /cd 7-13-2021/

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

July 09, 2021

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

July 09, 2021

9:00 AM

**Motion for Protective
Order**

**Plaintiff's Motion for
Protective Order**

HEARD BY: Young, Jay

COURTROOM: RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER: Francesca Haak

REPORTER:

PARTIES

PRESENT:	Armstrong, Tyrone Keith	Plaintiff
		Counter Defendant
	Sutehall, Kevin M.	Attorney

JOURNAL ENTRIES

- No further argument by Mr. Armstrong or Mr. Sutehall. COMMISSIONER RECOMMENDED, motion is DENIED; the Countermotion is GRANTED pursuant to Rule 37(a)(5)(B); Mr. Sutehall has seven days to supplement the pleadings regarding the Request for Fees and Costs; Mr. Armstrong has seven days to file a response, and a Status Check is SET in 21 days. Commissioner Directed Mr. Sutehall to utilize the Form on the Eighth Judicial District Court's website. A template Report and Recommendation was created to assist counsel on Attorney Fees and Costs. Mr. Armstrong requested Commissioner defer the attorney fees to Trial. COMMISSIONER RECOMMENDED, Request is DENIED, but Request to Deter Payment until after Trial is UNDER ADVISEMENT.

Mr. Sutehall to prepare the Report and Recommendations, and a proposed Order for fees and costs. Mr. Armstrong to approve as to form and content. If necessary, submit opposing Orders in Word with redlines so the Commissioner can see the changes. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.

COMMISSIONER RECOMMENDED, Status Check SET; if the DCRR is submitted, the Status Check will be vacated.

7-30-2021 IN CHAMBERS Status Check: Attorney fees and costs

8-6-2021 10:00 a.m. Status Check: Compliance / 7-9-2021 DCRR

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****July 23, 2021**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

July 23, 2021	9:30 AM	Motion for Protective Order	Plaintiff's Re-Noticed Motion for Protective Order RE: Deposition Testimony of Trina Reynolds
----------------------	----------------	--	--

HEARD BY: Young, Jay**COURTROOM:** RJC Level 5 Hearing Room**COURT CLERK:** Jennifer Lott**RECORDER:** Francesca Haak**REPORTER:****PARTIES**

PRESENT:	Armstrong, Tyrone Keith	Plaintiff
		Counter Defendant
	Sutehall, Kevin M.	Attorney

JOURNAL ENTRIES

- Argument by Mr. Armstrong. Commissioner inquired why Mr. Armstrong did not appear at the deposition. Mr. Sutehall stated the deposition was 5-7-2021, discovery has since closed, and Mr. Armstrong had Notice of the deposition. Argument by Mr. Sutehall; counsel requested fees for having to prepare the Motion. Mr. Armstrong did not receive a Zoom log-in in the deposition Notice. Argument by Mr. Sutehall. COMMISSIONER RECOMMENDED, motion is DENIED; Request for Sanctions is DENIED.

Mr. Sutehall to prepare the Report and Recommendations, and Mr. Armstrong to approve as to form and content. Comply with Administrative Order 20-10, and submit the DCRR to DiscoveryInbox@clarkcountycourts.us. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution. COMMISSIONER RECOMMENDED,

Status Check SET; if the DCRR is submitted, contact the Discovery office to vacate the Status Check.

8-13-2021 10:00 a.m. Status Check: Compliance / 7-23-2021 DCRR

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

July 28, 2021

A-19-796941-C	Tyrone Armstrong, Plaintiff(s) vs. US Bank National Association, Defendant(s)
---------------	--

July 28, 2021

10:00 AM

All Pending Motions

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Erin Burnett
Yolanda Orpineda
Shelley Boyle

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Allison, Jeffrey S. Armstrong, Tyrone Keith Sutehall, Kevin M.	Attorney Plaintiff Counter Defendant Attorney
-----------------	--	--

JOURNAL ENTRIES

- HEARING: RE; SUPPLEMENTAL BRIEFING...DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORP MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S RESPONSE TO PLAINTIFF'S October 20,2020 MOTION FOR PARTIAL SUMMARY JUDGMENT AND JOINDER TO PHH/OCWEN OPPOSITION TO PLAINTIFF'S MOTION AND AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT; COUNTERMOTION FOR SUMMARY JUDGMENT

Mr. Armstrong and Counsel present via Bluejeans.

Arguments regarding when the Statute of Limitations date starts, Pltf's. continued occupancy of the home, the timing of the Default, production of documents at mediation, Deft's. authority to foreclose,

the time-barring of the quiet title claims, and the Injunction in place. COURT STATED FINDINGS, and ORDERED, Defendant's Motion and Amended Motion for Partial Summary Judgment; Countermotion for Summary Judgment, GRANTED. The Injunction LIFTED. Mr. Sutehall to prepare the Order, provide a copy to opposing counsel for review as to form and content, and return it back to the Court within 10 days.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

August 13, 2021

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

**August 13, 2021 10:00 AM Status Check: Compliance Status Check:
Compliance / 7-23-
2021 DCRR**

HEARD BY: Young, Jay **COURTROOM:** RJC Level 5 Hearing Room

COURT CLERK: Jennifer Lott

RECORDER: Trisha Garcia

REPORTER:

PARTIES

PRESENT: Sutehall, Kevin M. Attorney

JOURNAL ENTRIES

- Mr. Sutehall stated the DCRR was submitted 7-30-2021 to the Discovery Inbox. Commissioner requested Mr. Sutehall re-submit the DCRR as he didn't see an email regarding the submission, or the DCRR.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

August 25, 2021

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

August 25, 2021 10:00 AM Calendar Call

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Erin Burnett

RECORDER: Yvette G. Sison

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Matter called, No parties present.

COURT ORDERED, matter OFF CALENDAR; Bench Trial VACATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

October 12, 2021

A-19-796941-C	Tyrone Armstrong, Plaintiff(s) vs. US Bank National Association, Defendant(s)
---------------	--

October 12, 2021 10:00 AM All Pending Motions

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Shelley Boyle

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Allison, Jeffrey S. Ghibaudo, Alex Sutehall, Kevin M.	Attorney Attorney Attorney
-----------------	---	----------------------------------

JOURNAL ENTRIES

- PLAINTIFF'S PRO PER MOTION AND NOTICE OF MOTION TO STAY JUDGMENT PENDING APPEAL PURSUANT TO NRCP 62(D)(1) AND NRAP 7... DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S MOTION TO CANCEL LIS PENDENS PURSUANT TO NRS 14.015 ON ORDER SHORTENING TIME... JOINDER TO U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATE, SERIES 2007-BC3'S REPLY IN SUPPORT OF ITS MOTION TO CANCEL LIS PENDENS PURSUANT TO NRS 14.015 ON ORDER SHORTENING TIME

Counsel present via Bluejeans.

Upon Court's inquiry, Mr. Ghibaudo CONFIRMED as Counsel of Record for Mr. Armstrong. Following arguments by counsel regarding an automatic Stay applying in this case, the pending Appeal, emotional distress to the Pltf. due to the filing of the Motion, expectation the home value will

increase, Court considering disturbed possession if the Motion is granted and the Appeal upheld, and Pltf's. time in the home and the additional time it will take for the Appeal to be decided.

COURT STATED FINDINGS, and ORDERED, Plaintiff's Pro Per Motion And Notice Of Motion To Stay Judgment Pending Appeal Pursuant To NRCP 62(D)(1) And NRAP 7, GRANTED. Deft's. Motion to Cancel Lis Pendens Pursuant to NRS 14.015 On Order Shortening Time and the Joinder, PASSED until word is received on the Appeal. Mr. Sutehall argued that a Bond be posted during the pendency of the Appeal. Following argument regarding Deft's. indigent status. COURT ORDERED, Mr. Sutehall's request for a Bond, DENIED; Deft. has already posted a \$500.00 Bond.

Mr. Ghibaudo is to prepare the Order, provide a copy to opposing counsel for review as to form and content, and return it back to the Court within 10 days.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

August 30, 2022

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

August 30, 2022 10:00 AM Status Check

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Parties not present. COURT ORDERED, matter CONTINUED for one week. Court noted counsel called and indicated they were stuck in another courtroom.

9/6/22 10:00 AM CONTINUED: STATUS CHECK: SC ORDER

CLERK'S NOTE: Parties notified of the continuance through the Judicial Executive Assistant via email. //9-6-22/ dy

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****September 06, 2022**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
 vs.
 US Bank National Association,
 Defendant(s)

September 06, 2022 10:00 AM Status Check

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Allison, Jeffrey S.	Attorney
	Armstrong, Tyrone Keith	Plaintiff
		Counter Defendant
	Ghibaud, Alex	Attorney
	Sutehall, Kevin M.	Attorney

JOURNAL ENTRIES

- Jeffrey Allison, Esq. present via Bluejeans video conference.

Court inquired if everyone got to the Supreme Court, which parties concurred. Court noted the quiet title claim survives. Statements by Mr. Sutehall. Further, Mr. Sutehall requested leave to file the renewed Motion for Summary Judgment, and indicated they anticipated a bench trial if the Court didn't grant the Motion. Mr. Ghibaud, anticipated Defense would want to file summary judgment; however, there was a remittitur issue. Court inquired if parties wanted to status check the matter, which Mr. Ghibaud, concurred. Upon Court's inquiry, parties noted they had not had a settlement conference; however, would try for it. Mr. Sutehall concurred with counsel that there was a remittitur issue; therefore, requested two days to re-file. Court advised it would set the bench trial in 30 days, and Mr. Sutehall could file what he needed to. Mr. Ghibaud, noted 60 days may be more appropriate. Court advised parties they could contact Judge Wiese to set up a settlement conference due to it being a fairly narrow issue. Mr. Sutehall indicated they were willing to have discussions,

and inquired if there was a deadline to file the Motion for Summary Judgment. Court stated there was no deadline. COURT ORDERED, status check SET in 60 days.

11/15/22 10:00 AM STATUS CHECK: RE-FILED MOTION FOR SUMMARY JUDGMENT/ BENCH TRIAL/ REMITTITUR ISSUE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

October 24, 2022

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

**October 24, 2022 3:00 AM Motion to Associate
Counsel**

HEARD BY: Holthus, Mary Kay

COURTROOM: Chambers

COURT CLERK: Dara Yorke

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- This Court, having reviewed Defendant U.S. Bank National Association's Motion to Associate Counsel John Lewis Grossman, Esq., the pleadings and papers filed herein, there being no opposition filed with the Court, and for good cause appearing, COURT ORDERED the Motion to Associate Counsel for Defendant U.S. Bank National Association is GRANTED pursuant to Nevada Supreme Court Rule 42. Defendant's Counsel is to prepare a written order consistent with this Minute Order and submit it to DC18Inbox@clarkcountycourts.us.

CLERK'S NOTE: Minute order electronically served to parties via Odyssey File & Serve. //10-24-22/dy

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property**COURT MINUTES****November 15, 2022**

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
 vs.
 US Bank National Association,
 Defendant(s)

November 15, 2022 10:00 AM Status Check

HEARD BY: Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke**RECORDER:** Yvette G. Sison**REPORTER:****PARTIES**

PRESENT:	Allison, Jeffrey S.	Attorney
	Armstrong, Tyrone Keith	Plaintiff
		Counter Defendant
	Ghibaud, Alex	Attorney
	Sutehall, Kevin M.	Attorney

JOURNAL ENTRIES

- Tyrone Armstrong, Alex Ghibaud, Esq. and Jeffrey Allison, Esq. present via Bluejeans video conference.

Court indicated there was a Motion for Summary Judgment recently filed. Mr. Sutehall concurred. Further, Mr. Sutehall indicated he was going to request 45 to 60 days to file an Opposition, which he believed Mr. Allison didn't oppose. Mr. Allison concurred. Mr. Sutehall noted it would be 60 days to file. No objection by Mr. Ghibaud. Mr. Allison indicated if the Motion was filed the previous day, he would request that the Clerk hold the Motion until the other Motion was filed. Court concurred. Colloquy between parties. Following colloquy, COURT ORDERED, the following briefing schedule SET: both Motions for Summary Judgment to be filed by January 17, 2023, Plaintiff to file Opposition by March 14, 2023, Reply to be filed by April 11, 2023 and hearing SET. Upon Court's inquiry, Mr. Ghibaud didn't oppose attending a settlement conference. Court DIRECTED counsel to contact Judge Wiese if they wanted to set up a settlement conference.

4/25/23 10:00 AM ARGUMENT: MOTION FOR SUMMARY JUDGMENT

CLERK'S NOTE: Minute order corrected to reflect Motions for Summary Judgment to be filed by January 17, 2023, Plaintiff to file Opposition by March 14, 2023. Minute order electronically served to parties via Odyssey File & Serve. //12-7-22/dy

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Title to Property

COURT MINUTES

April 19, 2023

A-19-796941-C Tyrone Armstrong, Plaintiff(s)
vs.
US Bank National Association,
Defendant(s)

April 19, 2023 3:00 PM Minute Order

HEARD BY: Chio, Danielle

COURTROOM: Chambers

COURT CLERK: Serenity Sivongsa

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, that argument regarding Motion for Summary Judgment and Joinders are hereby reset to May 18, 2023 at 9:00 AM.

CLERK'S NOTE: A copy of the foregoing minute order was distributed to the registered service recipients via Odyssey eFileNV E-Service (4-19-2023 ss).



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

TYRONE K. ARMSTRONG
3713 BRENTCOVE DR.
NORTH LAS VEGAS, NV 89032

DATE: July 5, 2023
CASE: A-19-796941-C

RE CASE: TYRONE KEITH ARMSTRONG vs. U.S. BANK NATIONAL ASSOCIATION; ET AL.

NOTICE OF APPEAL FILED: July 1, 2023

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 (1) GRANTING DEFENDANT U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-BC3'S MOTION FOR SUMMARY JUDGMENT; (2) GRANTING DEFENDANT PHH MORTGAGE CORPORATION, FOR ITSELF AND AS SUCCESSOR TO OCWEN LOAN SERVICING, LLC'S MOTION FOR SUMMARY JUDGMENT; AND (3) DENYING PLAINTIFF TYRONE KEITH ARMSTRONG'S COUNTER-MOTIONS FOR SUMMARY JUDGMENT; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

TYRONE KEITH ARMSTRONG,

Plaintiff(s),

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,

Defendant(s),

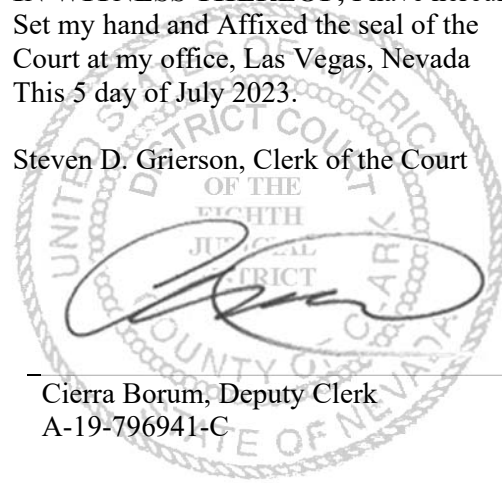
Case No: A-19-796941-C

Dept No: XII

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 5 day of July 2023.

Steven D. Grierson, Clerk of the Court



Cierra Borum, Deputy Clerk
A-19-796941-C



**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

July 5, 2023

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: TYRONE KEITH ARMSTRONG vs. U.S. BANK NATIONAL ASSOCIATION; ET AL.
D.C. CASE: A-19-796941-C

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed July 1, 2023. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

May 18, 2023

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Cierra Borum
Cierra Borum, Deputy Clerk