

CLERK OF THE COURT

1 **NEO**
 Michael R. Brooks, Esq.
 2 Nevada Bar No. 7287
BROOKS HUBLEY LLP
 3 1645 Village Center Circle, Suite 200
 Las Vegas, NV 89134
 4 Tel: (702) 851-1191
 Fax: (702) 851-1198
 5 E-mail: mbrooks@brookshubley.com
Attorneys for Defendant Federal National Mortgage Association

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 8 **DISTRICT COURT**
 9 **CLARK COUNTY, NEVADA**

10 SATICOY BAY LLC SERIES 9641
 CHRISTINE VIEW,

Case No.: A-13-690924-C
 Dept. No.: VI

11 Plaintiff,

**NOTICE OF ENTRY OF ORDER
 DENYING PLAINTIFF'S MOTION
 FOR SUMMARY JUDGMENT AND
 GRANTING FEDERAL NATIONAL
 MORTGAGE ASSOCIATION'S
 COUNTERMOTION FOR
 SUMMARY JUDGMENT**

12 v.

13 FEDERAL NATIONAL MORTGAGE
 ASSOCIATION; THE COOPER CASTLE
 LAW FIRM, LLP; DON MORENO AND
 14 RIETA MORENO,

15 Defendants.

16
 17 PLEASE TAKE NOTICE that an Order Denying Plaintiff's Motion for Summary
 18 Judgment and Granting Federal National Mortgage Association's Countermotion for
 19 Summary Judgment was entered in the above-captioned matter on the 8th day of
 20 December, 2015.

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BROOKS HUBLEY, LLP

1645 VILLAGE CENTER CIRCLE, SUITE 200, LAS VEGAS, NV 89134
TELEPHONE: (702) 851-1191 FAX: (702) 851-1198

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A true and correct copy of said Order is attached hereto.

DATED this 10 day of December, 2015.

BROOKS HUBLEY, LLP



MICHAEL R. BROOKS, ESQ.
*Attorneys for Defendant Federal
National Mortgage Association*

BROOKS HUBLEY, LLP
1645 VILLAGE CENTER CIRCLE, SUITE 200, LAS VEGAS, NV 89134
TELEPHONE: (702) 851-1191 FAX: (702) 851-1198

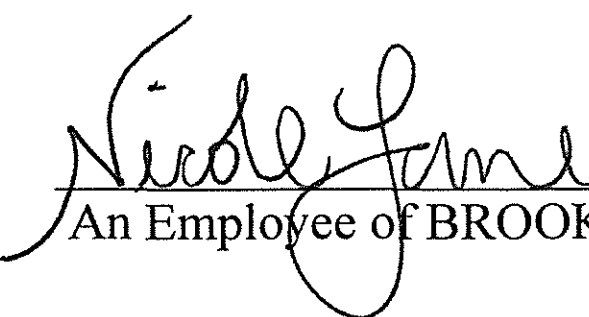
CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am employed in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is that of Brooks Hubley, LLP, 1645 Village Center Circle, Suite 200, Las Vegas, Nevada 89134.

I HEREBY CERTIFY that, pursuant to Eighth Judicial District Court Administrative Order 14-2 and EDCR 8.05(i), I electronically served, via the Eighth Judicial District Court electronic filing system and in place of service by mail, the **NOTICE OF ENTRY OF ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND GRANTING FEDERAL NATIONAL MORTGAGE ASSOCIATION'S COUNTERMOTION FOR SUMMARY JUDGMENT** on the following parties and those parties listed on the Court's Master List in said action:

Law Offices of Michael F. Bohn, Esq.	
Contact	Email
Eserve Contact	office@bohnlawfirm.com
Michael F Bohn Esq	mbohn@bohnlawfirm.com

I certify under penalty of perjury that the foregoing is true and correct and that this Certificate of Service was executed by me on the 10th day of December, 2015, at Las Vegas, Nevada.


An Employee of BROOKS HUBLEY, LLP

CLERK OF THE COURT

1 **ORDER**
 Michael R. Brooks, Esq.
 2 Nevada Bar No. 7287
BROOKS HUBLEY LLP
 3 1645 Village Center Circle, Suite 200
 Las Vegas, NV 89134
 4 Tel: (702) 851-1191
 Fax: (702) 851-1198
 5 E-mail: mbrooks@brookshubley.com
Attorneys for Defendant Federal National Mortgage Association

7 **DISTRICT COURT**
 8 **CLARK COUNTY, NEVADA**

9 SATICOY BAY LLC SERIES 9641
 CHRISTINE VIEW,
 10
 Plaintiff,
 11 v.
 12 FEDERAL NATIONAL MORTGAGE
 ASSOCIATION; THE COOPER CASTLE
 LAW FIRM, LLP; DON MORENO AND
 13 RIETA MORENO,
 14 Defendants.

Case No.: A-13-690924-C
 Dept. No.: VI

**ORDER DENYING PLAINTIFF'S
 MOTION FOR SUMMARY
 JUDGMENT AND GRANTING
 FEDERAL NATIONAL MORTGAGE
 ASSOCIATION'S
 COUNTERMOTION FOR
 SUMMARY JUDGMENT**

BROOKS HUBLEY, LLP
 1645 VILLAGE CENTER CIRCLE, SUITE 200, LAS VEGAS, NV 89134
 TELEPHONE: (702) 851-1191 FAX: (702) 851-1198

16 This matter came for hearing on November 17, 2015, at 8:30 a.m., in Department
 17 VI of the Eighth Judicial District Court, in and for Clark County, Nevada, with the
 18 Honorable Elissa F. Cadish presiding, on Plaintiff, Saticoy Bay LLC Series 9641 Christine
 19 View's ("Plaintiff"), Motion for Summary Judgment and Defendant, Federal National
 20 Mortgage Association's ("Fannie Mae"), Counter-Motion for Summary Judgment; with
 21 Michael F. Bohn, Esq. appearing on behalf of Plaintiff; and Michael R. Brooks, Esq., of
 22 Brooks Hubley, LLP, appearing on behalf of Fannie Mae.

<input type="checkbox"/> Voluntary Dismissal	<input checked="" type="checkbox"/> Summary Judgment
<input type="checkbox"/> Involuntary Dismissal	<input type="checkbox"/> Stipulated Judgment
<input type="checkbox"/> Stipulated Dismissal	<input type="checkbox"/> Default Judgment
<input type="checkbox"/> Motion to Dismiss by Default	<input type="checkbox"/> Judgment of Arbitration

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1 This Court, having considered all pleadings and papers on file herein and
2 arguments of counsel, and for good cause shown, hereby orders the following:

3 **FINDINGS OF FACTS**

4 1. A Deed of Trust listing Don and Rieta Moreno as the borrowers,
5 Countrywide Home Loans, Inc. ("Countrywide") as the original lender, and Mortgage
6 Electronic Registration Systems, Inc ("MERS") as beneficiary and nominee for Lender
7 and Lender's successors and assigns, was recorded on November 2, 2004. The Deed of
8 Trust granted Countrywide and its successors and assigns a security interest in real
9 property known as 9641 Christine View Court, Las Vegas 89129 (the "Property") to
10 secure the repayment of a loan in the original amount of \$174,950.00 (the "Loan").

11 2. On September 6, 2008, pursuant to Housing & Economic Recovery Act of
12 2008 ("HERA"), the Director of the Federal Housing Finance Agency ("FHFA" or
13 "Conservator") placed Fannie Mae and Freddie Mac into conservatorship.

14 3. On March 17, 2010, Nevada Association Services ("NAS"), on behalf of
15 the HOA, recorded a lien for delinquent assessments against the Property. Per the notice
16 of delinquent assessments, the amount owing as of the date of preparation of the lien was
17 \$1,050.00.

18 4. On August 16, 2010, NAS, on behalf of the HOA, recorded a notice of
19 default and election to sell against the Property.

20 5. On May 30, 2012, MERS assigned the Deed of Trust to Bank of America,
21 N.A., Successor by Merger to BAC Home Loans Servicing, LP FKA Countrywide Home
22 Loans Servicing, LP. This document was recorded on June 1, 2012, in the Official
23 Records for Clark County as instrument number 20120601-0002535.

BROOKS HUBLEY, LLP
1645 VILLAGE CENTER CIRCLE, SUITE 200, LAS VEGAS, NV 89134
TELEPHONE: (702) 851-1191 FAX: (702) 851-1198

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Fannie
2 Mae's Counterclaims for Quiet Title and Declaratory Relief are each resolved in favor of
3 Fannie Mae, and that Fannie Mae's Counter-Motion for Summary Judgment, is
4 GRANTED.

5 IT IS FURTHER ORDERED that based on the above findings and order,
6 Plaintiff's claims for Quiet Title and Declaratory Relief are each resolved in favor of
7 Fannie Mae, and that Plaintiff's Motion for Summary Judgment is DENIED.

8 IT IS SO ORDERED.

9 DATED this 7 day of December, 2015.

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DISTRICT COURT JUDGE *lee*

12 Respectfully submitted by:

13 BROOKS HUBLEY, LLP

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15 MICHAEL R. BROOKS, ESQ.
16 *Attorneys for Defendant Federal
National Mortgage Association*

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18 Approved as to Form and Content:

19 

20 MICHAEL F. BOHN, ESQ.
21 *Attorney for Plaintiff Saticoy Bay LLC
Series 9641 Christine View*

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