

IN THE SUPREME COURT OF THE STATE OF NEVADA

WELLS FARGO BANK, N.A.,  
Appellant,  
vs.  
PARADISE HARBOR PLACE TRUST,  
Respondent.

No. 63903

FILED

NOV 14 2014

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order granting a preliminary injunction in a quiet title action. Eighth Judicial District Court, Clark County; Allan R. Earl, Judge.

The district court granted respondent's preliminary injunction motion, finding that respondent "would be irreparably harmed for which there is no adequate remedy at law." This court's recent disposition in *SFR Investments Pool 1, LLC v. U.S. Bank, N.A.*, 130 Nev. \_\_\_, 334 P.3d 408 (2014), decides that a common-interest community association's NRS 116.3116(2) superpriority lien has true priority over a first security interest, and the association may nonjudicially foreclose on that lien. The district court's decision thus was supported by the controlling law. Accordingly, we

AFFIRM the district court's order granting a preliminary injunction.

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

CHERRY, J., concurring:

For the reasons stated in the *SFR Investments Pool 1, LLC v. U.S. Bank, N.A.*, 130 Nev. \_\_\_, 334 P.3d 408 (2014), dissent, I disagree that appellant lost its lien priority by virtue of the homeowners association's nonjudicial foreclosure sale. I recognize, however, that *SFR Investments* is now the controlling law and, thusly, concur in the disposition of this appeal.

Cherry, J.  
Cherry

cc: Hon. Allan R. Earl, District Judge  
David J. Merrill, P.C.  
Law Offices of Michael F. Bohn, Ltd.  
Eighth District Court Clerk