

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARCIA M. BERGENFIELD, AN  
INDIVIDUAL,  
Appellant,  
vs.  
BANK OF AMERICA, N.A.,  
Respondent.

No. 67665

**FILED**

NOV 13 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
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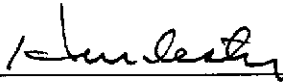
*ORDER OF AFFIRMANCE*

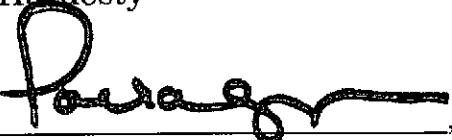
This is an appeal from a district court order granting a petition for judicial review in a Foreclosure Mediation Program (FMP) matter. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.


NRS 107.086(6) authorizes the imposition of sanctions against a deed of trust beneficiary or a deed of trust beneficiary's representative. In resolving appellant's previous appeal, this court determined that respondent had failed to establish at the time of the mediation that respondent was either the deed of trust beneficiary or the deed of trust beneficiary's representative. The district court therefore correctly

concluded on remand that it was not statutorily authorized to impose sanctions on respondent. Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

cc: Hon. Kathleen E. Delaney, District Judge  
Lansford W. Levitt, Settlement Judge  
Hafter Law  
Akerman LLP/Las Vegas  
Eighth District Court Clerk

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<sup>1</sup>We have considered appellant's arguments relating to the district court's February 24, 2015, order denying appellant's motion for reconsideration and conclude that those arguments do not warrant reversal in this matter.