

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

COPPER SANDS HOMEOWNERS)
ASSOCIATION, INC. *et al.*,)
)
Plaintiffs,)
vs.)
)
COPPER SANDS REALTY, LLC, *et al.*,)
)
Defendants.)

Case No.: 2:10-cv-00510-GMN-NJK

ORDER

Pending before the Court is the Order to Show Cause (ECF No. 654) issued by the Court on January 16, 2014. Defendant Cannon Management Company (“Cannon”) filed a Response (ECF No. 665) and Plaintiffs filed a Reply (ECF No. 666).

Also pending before the Court is the Stipulation for Extension of Time for Submission of a Proposed Joint Pre-Trial Order. (ECF No. 674.)

I. PENDING MOTIONS FOR SUMMARY JUDGMENT

In its Response to the Court’s Order to Show Cause, Cannon contends that the following motions remain ripe for ruling:

1. The Motion for Summary Judgment by Application of Statutes of Repose and Limitation Periods, originally filed on January 25, 2012, by Defendants, Copper Sands Realty, LLC, Dario De Luca, Robert Colucci, Copper Sands Investors, LP, Renato De Luca a/k/a Ray De Luca and Ray De Luca, Pacifica Enterprises Holdings, LP, Pacifica Enterprises, Inc., Pacifica Enterprises LLC, Pacifica Real Estate Investments, Inc., Pacifica Real Estate Services, Inc., and Vimark RE Enterprises, LLC. (ECF No. 309.) Cannon subsequently filed a Joinder to this Motion on February 1, 2012. (ECF No. 324.)
2. The Motion for Partial Summary Judgment Due to Disclosures and Disclaimers originally filed on January 25, 2012, by Defendants, Copper Sands Realty, LLC, Dario

1 De Luca, Robert Colucci, Copper Sands Investors, LP, Renato De Luca a/k/a Ray De
2 Luca and Ray De Luca, Pacifica Enterprises Holdings, LP, Pacifica Enterprises, Inc.,
3 Pacifica Enterprises LLC, Pacifica Real Estate Investments, Inc., Pacifica Real Estate
4 Services, Inc., and Vimark RE Enterprises, LLC. (ECF No. 310.) Cannon subsequently
5 filed a Joinder to this Motion on February 1, 2012. (ECF No. 326.)

6 3. The Motion for Partial Summary Judgment Due to Assumption of Risk originally filed
7 on January 25, 2012, by Defendants, Copper Sands Realty, LLC, Dario De Luca, Robert
8 Colucci, Copper Sands Investors, LP, Renato De Luca a/k/a Ray De Luca and Ray De
9 Luca, Pacifica Enterprises Holdings, LP, Pacifica Enterprises, Inc., Pacifica Enterprises
10 LLC, Pacifica Real Estate Investments, Inc., Pacifica Real Estate Services, Inc., and
11 Vimark RE Enterprises, LLC. (ECF No. 313.) Cannon subsequently filed a Joinder to
12 this Motion on February 1, 2012. (ECF No. 327.)

13 4. The Motion for Partial Summary Judgment Due Lack of Evidence of Damages and
14 Causation originally filed on January 25, 2012, by Defendants, Copper Sands Realty,
15 LLC, Dario De Luca, Robert Colucci, Copper Sands Investors, LP, Renato De Luca
16 a/k/a Ray De Luca and Ray De Luca, Pacifica Enterprises Holdings, LP, Pacifica
17 Enterprises, Inc., Pacifica Enterprises LLC, Pacifica Real Estate Investments, Inc.,
18 Pacifica Real Estate Services, Inc., and Vimark RE Enterprises, LLC. (ECF No. 312.)
19 Cannon subsequently filed a Joinder to this Motion on February 1, 2012. (ECF No. 325.)

20 The Court agrees that Cannon has preserved the issues presented in these Motions for
21 Summary Judgment. However, rather than revive motions that were filed more than two years
22 ago by defendants that have long been dismissed from this action, the Court will extend the
23 dispositive motions deadline to Tuesday, April 8, 2014, *for the limited purpose* of allowing
24 Cannon to file a renewed motion for summary judgment that complies with both Local Rule 7-
25

1 4 and Local Rule 56-1.¹ If Cannon elects to file such a Motion for Summary Judgment,
2 Plaintiffs' Response shall be due on Tuesday, April 29, 2014. *See* D. Nev. R. LR 7-2(e).
3 Cannon's Reply, if any, shall be due on Tuesday, May 13, 2014. *See id.*

4 **II. STIPULATION TO EXTEND JOINT PRE-TRIAL ORDER DEADLINE**


5 As discussed above, the Court is extending the dispositive motions deadline.
6 Accordingly, the Court grants the parties' joint request to extend the deadline to file Proposed
7 Joint Pre-Trial Order. (*See* Stipulation, ECF No. 674.) Accordingly, for the reasons discussed
8 in this Order, and for the reasons that the parties articulate in their Stipulation, (ECF No. 674),
9 the Court vacates the March 17, 2014 deadline. The deadline to file the Proposed Joint Pre-
10 Trial Order shall be set 30 days following the Court's disposition of any motion for summary
11 judgment that Cannon files on or before Tuesday, April 8, 2014. If no such motion for
12 summary judgment is filed, the parties' Proposed Joint Pre-Trial Order shall be due on
13 Thursday, May 8, 2014.

14 **III. CONCLUSION**

15 **IT IS HEREBY ORDERED** that the dispositive motions deadline is extended to
16 Tuesday, April 8, 2014, for the limited purpose of allowing Defendant to file a renewed Motion
17 for Summary Judgment.

18 **IT IS FURTHER ORDERED** that the Parties' Stipulation to Extend Time for
19 Submission of a Proposed Joint Pre-Trial Order is **GRANTED**.

20 **DATED** this 18 day of March, 2014.

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23 _____
Gloria M. Navarro, Chief Judge
United States District Judge

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25 ¹ The Court emphasizes that filing multiple motions for summary judgment to avoid the limitation on pages in
Local Rule 7-4 is improper and will not be permitted. The Court also notes that neither Local Rule 7-4 nor Local
Rule 56-1 permits a party to except from the page limit the required statement of facts.