

Selman Breitman LLP
ATTORNEYS AT LAW

1 BERNADETTE A. RIGO
2 NEVADA BAR NO. 7882
3 SELMAN BREITMAN LLP
3993 Howard Hughes Parkway, Suite 200
4 Las Vegas, NV 89169-0961
Telephone: 702.228.7717
5 Facsimile: 702.228.8824
6 Email: brigo@selmanlaw.com

7 Attorneys for Defendant WEST COAST
8 MORTGAGE GROUP

9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 PRISCILLA SANTOS CORTEZ,
12 Plaintiff,
13 v.
14 NATIONSTAR MORTGAGE, LLC;
15 QUALITY LOAN SERVICING, LLC; WEST
16 COAST MORTGAGE GROUP; ALLIANCE
17 BANCORP; AURORA BANK, FSB;
18 MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.; ROSE
VELLANOWETH; and DOES 1-10, inclusive,
19 Defendants.

Case No. 2:14-cv-01048-GMN-NJK

**AMENDED STIPULATION AND ORDER
TO STAY DISCOVERY PURSUANT TO
LOCAL RULE 6-1(B)
(FIRST REQUEST)**

20 Pursuant to Local Rule 6-1(b), plaintiff PRISCILLA SANTOS CORTEZ, defendant
21 WEST COAST MORTGAGE GROUP ("WEST COAST"), by and through its attorney of record,
22 Bernadette A. Rigo with Selman Law, LLP, and defendants NATIONSTAR MORTGAGE, LLC;
23 AURORA BANK, FSB; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. and
24 MERSCORP HOLDINGS, INC. (collectively, Nationstar Defendants), by and through their
25 attorney of record, Donna M. Wittig with AKERMAN LLP, hereby stipulate and agree, subject to
26 the approval of the Court, that:

27 WHEREAS:

1 (1) The current lawsuit consolidates two lawsuits filed by plaintiff concerning the real
2 property located at 1020 Zurich Avenue in Henderson, Nevada, and the mortgage loan she
3 obtained in 2006 for its purchase;

4 (2) On June 19, 2015, WEST COAST filed a Motion to Dismiss Pursuant to 12(b)
5 based on lack of jurisdiction, insufficiency of service of process, and failure to state a claim upon
6 which relief can be granted (Doc. 27);

7 (3) On August 13, 2015, Nationstar Defendants filed a motion to dismiss plaintiff's
8 complaint with prejudice based on res judicata, statute of limitations and failure to state a claim
9 upon which relief can be granted; and to the extent not dismissed on the merits with prejudice,
10 Nationstar Defendants moved to dismiss without prejudice due to insufficiency of service of
11 process (Doc. 34);

12 (4) The parties seek a just, speedy and inexpensive determination of the pending
13 motions to dismiss without expense of discovery which would be unnecessary for all parties
14 involved if either or both motions are granted and by which no party would be prejudiced if the
15 motions were denied and discovery began after the Court enters an Order on the motions.

16 IT IS THEREBY STIPULATED AND AGREED THAT:

17 (1) All discovery in this action shall be stayed until the Court enters an Order resolving
18 WEST COAST's pending Motion to Dismiss Pursuant to 12(b) (Doc. 27) and Nationstar
19 Defendants' pending Motion to Dismiss (Doc. 34);

20 (2) Following the court's entry of an order(s) on West Coast's and Nationstar
21 Defendant's motions, the parties shall have 30 days in which to conduct Fed. R. Civ. P. 26(f)
22 conference, and 14 days after the Rule 26(f) conference in which to submit a proposed discovery
23 plan and scheduling order and serve initial disclosures;

24 (3) No party shall serve requests for discovery until after the parties hold the Rule 26(f)
25 conference;

26 (4) This Stipulation is made without prejudice to any parties' right to move to extend
27 the stay of discovery;

28

1 (5) This is the parties' first request to stay discovery.

2 DATED: August 17, 2015 SELMAN BREITMAN LLP

3

4 By: /s/ Bernadette A. Rigo
5 BERNADETTE A. RIGO
6 NEVADA BAR NO. 7882
7 3993 Howard Hughes Parkway, Suite 200
8 Las Vegas, NV 89169-0961
9 Phone: 702.430.5906
10 Facsimile: 702.228.8824
11 Attorneys for Defendant WEST COAST
12 MORTGAGE GROUP

9 DATED: August 17, 2015 PRISCILLA SANTOS CORTEZ

10

11 By: /s/ Priscilla Santos Cortez
12 PRISCILLA SANTOS CORTEZ
13 4132 Calmoor Street
14 National City, CA 91950
15 PLAINTIFF PRO PER

14 DATED: August 17, 2015 AKERMAN LLP

15

16 By: /s/ Donna M. Wittig
17 DONNA M. WITTIG, ESQ.
18 NEVADA BAR NO. 11015
19 1160 Town Center Drive, Suite 330
20 Las Vegas, NV 89144
21 Attorneys for Defendants
22 NATIONSTAR MORTGAGE, LLC, AURORA
23 BANK, FSB, MORTGAGE ELECTRONIC
24 REGISTRATION SYSTEMS, INC. and
25 MERSCORP HOLDINGS, INC.

22 **ORDER**

24 IT IS SO ORDERED.

25 Dated: August 18, 2015

26 By: 
27 United States Magistrate Judge

28