

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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AZURE MANOR/RANCHO DE PAZ
HOMEOWNERS ASSOCIATION,

Plaintiff(s),

v.

D.R. HORTON, INC.,

Defendant(s).

Case No. 2:14-CV-2222 JCM (NJK)

ORDER

Presently before the court is plaintiff Azure Manor/Rancho de Paz Homeowners Association's motion for "a declaratory judgment that allows formal litigation to proceed against defendant D.R. H[orton], I[nc]." (ECF No. 21). Plaintiff submitted an identical document (ECF No. 20) as a motion to lift stay—presumably because the document requested two forms of relief—to which defendant submitted a response (ECF No. 23). Thereafter, plaintiff filed a reply. (ECF No. 24).

"On March 15, 2016, [this court] stayed this case pending the completion of all [Nevada Revised Statutes ("NRS")] Chapter 40 pre-litigation requirements." (ECF No. 25 at 1) (citing (ECF No. 19)) (denying the aforementioned motion to lift the stay). This court is also cognizant of defendant's July 6, 2017, motion to dismiss, which argues that plaintiff has not complied with NRS 40.680. (ECF No. 28).


Thus, this court will deny the instant motion because it is either moot, as Magistrate Judge Koppe denied the motion to lift the stay (ECF No. 25), or not yet ripe because there is a question of whether the terms of this court's original order staying the case have been satisfied See (ECF No. 28); see also *Pub. Utilities Comm'n of State of Cal. v. F.E.R.C.*, 100 F.3d 1451, 1458 (9th Cir.

1 1996) (discussing the mootness doctrine); *Lee v. Clark Cty. Dist. Attorney's Office*, 145 F. Supp.
2 2d 1185, 1187 (D. Nev. 2001) ("Ripeness generally requires that there be a hardship to the parties
3 in failing to adjudicate the matter and that the issues are fit for judicial review." (emphasis added)).

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiff's motion for
6 declaratory judgment (ECF No. 21) be, and the same hereby is, DENIED.

7 DATED July 26, 2017.

8 
9 UNITED STATES DISTRICT JUDGE