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Federal National Mortgage Association

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RICK SALOMON,
Plaintiff,
vs.
FEDERAL NATIONAL MORTGAGE
ASSOCIATION; et al.,
Defendants.
and
FEDERAL HOUSING FINANCE AGENCY,
as Conservator of the Federal National
Mortgage Association,
Intervenor.

CASE NO. 2:14-cv-02225-MMD-PAL

[PROPOSED] SCHEDULING ORDER

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,
Counterclaimant,
and
FEDERAL HOUSING FINANCE AGENCY,
as Conservator of the Federal National
Mortgage Association,
Intervenor.

vs.
RICK SALOMON; BACARA RIDGE
ASSOCIATION,
Counter-Defendants.

1 1. On January 19, 2016, this Court issued an Order lifting the stay imposed pending
2 the Ninth Circuit’s issuance of its mandate in Bourne Valley Court Trust v. Wells Fargo Bank,
3 NA, No. 15-15233, 832 F.3d 1154 (9th Cir. 2016) (ECF No. 73), and ordered the parties to submit
4 a proposed scheduling order by January 25, 2017.

5 2. Accordingly, Plaintiff/Counter-Defendant Rick Salomon, Defendant/
6 Counterclaimant Federal National Mortgage Association (“Fannie Mae”), Intervenor Federal
7 Housing Finance Agency (“FHFA”) and Counter-Defendant Bacara Ridge Association
8 (“Bacara”), (collectively, “the Parties”), have conferred and have reached a mutually agreed
9 upon resolution as to how to proceed in this case.

10 3. The Parties propose that the Court issue a scheduling order permitting them to file
11 a motion for summary judgment addressing Bourne Valley’s dispositive effect on this case no
12 later than March 8, 2017. The parties further propose that any opposition to the motion for
13 summary judgment be filed no later than April 7, 2017, and that any reply be filed by April 28,
14 2017.

15 4. The Parties further propose that all discovery be stayed, and that all other issues
16 be deferred, including FHFA’s and Fannie Mae’s arguments under the Housing and Economic
17 Recovery Act (“HERA”), 12 U.S.C. § 4617(j)(3), pending a decision on the motion for summary
18 judgment.

19 5. Counter-Defendant Bacara takes no position with respect to the schedule
20 proposed herein and intends to negotiate a stipulated disclaimer of interest

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CONCLUSION

For the foregoing reasons, the Parties submit this proposed Scheduling Order for the Court's consideration.

DATED this 25th day of January, 2017.

AKERMAN LLP

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ORDER

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: January 27, 2017

CERTIFICATE OF SERVICE

Pursuant to F.R.C.P. 5(b) and Electronic Filing Procedure IV(B), I certify that on the 25th day of January, 2017, a true and correct copy of the **[PROPOSED] SCHEDULING ORDER** was transmitted electronically through the Court's e-filing electronic notice system to the attorney(s) associated with this case. If electronic notice is not indicated through the court's e-filing system, then a true and correct paper copy of the foregoing document was delivered via U.S. Mail.

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