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7 Attorneys for Defendants U.S. HOME CORPORATION;  
 LENNAR CORPORATION; and LENNAR SALES CORPORATION

8  
 9 **UNITED STATES DISTRICT COURT**  
 10 **DISTRICT OF NEVADA**

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 12 AZURE MANOR/RANCHO DE PAZ  
 HOMEOWNERS ASSOCIATION, a Nevada  
 13 residential, common-interest planned  
 community,

14 Plaintiff,

15 v.

16 U.S. HOME CORPORATION, a Delaware  
 17 corporation; LENNAR CORPORATION, a  
 Nevada corporation; LENNAR SALES  
 18 CORP., a California corporation, and DOES 1-  
 100, inclusive,

19 Defendants.  
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CASE NO.: 2:15-cv-00002-JAD-CWH

**DEFENDANTS' MOTION FOR LEAVE  
 TO FILE SUPPLEMENTAL BRIEFING  
 IN SUPPORT OF MOTION TO STAY  
 ACTION PENDING COMPLIANCE  
 WITH NRS 40.600, et seq. (Doc. 7) WITH  
 SUPPLEMENTAL BRIEFING  
 ATTACHED**

21 Defendants U.S. Home Corporation, Lennar Corporation, and Lennar Sales Corporation  
 22 (collectively "U.S. Home") hereby seek leave of this Court to file supplemental briefing in support  
 23 of U.S. Home's Motion to stay action pending compliance with NRS 40.600 *et seq.* (Doc. 7) due  
 24 to a post-filing change in controlling law. A copy of U.S. Home's supplement is attached hereto  
 25 as Exhibit "1."

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 ATTORNEYS AT LAW  
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1 This Motion is made and based upon the Points and Authorities filed concurrently  
2 herewith, all pleadings and papers on file herein, and such oral argument as may be heard by the  
3 Court.

4 DATED: March 30, 2015

PAYNE & FEARS LLP

6 By: /s/ Gregory H. King

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Attorneys for Plaintiff

U.S. HOME CORPORATION, LENNAR

CORPORATION, and LENNAR SALES CORP.

12 **ORDER**

13 Accordingly, **IT IS HEREBY ORDERED** that Defendants' motion for leave to file  
14 supplemental briefing (doc. # 22) **is granted**. Defendants are directed to re-file their  
15 supplemental brief, along with all relevant exhibits, so it is properly reflected on the  
16 docket. Plaintiff, if it wishes, may file a response to Defendants' supplemental brief **no**  
17 **later than April 10, 2015**.

18 DATED: March 31, 2015

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United States Magistrate Judge

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. BACKGROUND AND ARGUMENT**

3 On January 15, 2015, U.S. Home filed a motion to stay this case pending Plaintiff's  
4 (hereinafter "HOA") compliance with the notice, inspection, and mediation requirements of NRS  
5 40.600 *et seq.* ("Chapter 40"). (Doc. 7). However, after U.S. Home's motion was filed, the  
6 statute which previously gave the HOA authority to initiate construction defect actions on behalf  
7 of its members for defects within the members' residences, NRS 116.3102(1)(d), was amended  
8 effective February 24, 2015. *See*, 2015 Nevada Laws. Ch. 2 (A.B. 125). After February 24,  
9 homeowners' associations are no longer permitted to initiate construction defect claims on behalf  
10 of their members for issues affecting the members' residences. Thus, U.S. Home withdraws its  
11 request to stay this case to allow the HOA to satisfy the notice and other requirements of Chapter  
12 40 for the 93 homes in the community for which an effective notice was not given prior to  
13 February 24. Instead, U.S. Home hereby limits its motion to stay to the 5 homes for which the  
14 HOA gave proper notice prior to the effective date of AB 125, for which the HOA still needs to  
15 satisfy the inspection and mediation requirements of Chapter 40.

16 U.S. Home seeks leave of this Court to file the attached supplement addressing this  
17 important change in controlling law and its impact on U.S. Home's previously filed motion to  
18 stay.

19 **II. CONCLUSION**

20 Based on the foregoing, U.S. Home seeks leave of this honorable Court to file the  
21 supplement to its motion to stay this case, which is attached hereto as Exhibit "1."  
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DATED: March 30, 2015

PAYNE & FEARS LLP

By           /s/ Gregory H. King          

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 30, 2015, I served a true and correct copy of the above and foregoing, **DEFENDANTS' MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEFING IN SUPPORT OF MOTION TO STAY ACTION PENDING COMPLIANCE WITH NRS 40.600, et seq. (Doc. 7) WITH SUPPLEMENTAL BRIEFING ATTACHED** was made this date by electronic transmission through the court's CM/ECF program.

/s/ Nancy Babas  
Nancy Babas  
An Employee of PAYNE & FEARS LLP

4812-1127-9905.1

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