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10 Attorneys for Intervenor/Counterclaimant Federal Housing Finance Agency

11 **UNITED STATES DISTRICT COURT**
 12 **DISTRICT OF NEVADA**

13 NEVADA SAND CASTLES, LLC,
 Plaintiff,

14 vs.

15 GREEN TREE SERVICING LLC;
 RECONSTRUST COMPANY, N.A.; BANK
 16 OF AMERICA, N.A.; PRLAP, INC.; DOES I-
 X, inclusive; and ROE BUSINESS ENTITIES
 17 I-X, inclusive,

Defendants.

18 and

19 FEDERAL NATIONAL MORTGAGE
 ASSOCIATION; and FEDERAL HOUSING
 20 FINANCE AGENCY, as Conservator of the
 Federal National Mortgage Association,

21 Interveners.

22 FEDERAL NATIONAL MORTGAGE
 ASSOCIATION; and FEDERAL HOUSING
 23 FINANCE AGENCY, as Conservator of the
 Federal National Mortgage Association,

Counterclaimants,

25 vs.

26 NEVADA SAND CASTLES, LLC,
 Counter-Defendant.

CASE NO. 2:15-cv-00588-GMN-VCF

STIPULATION AND ~~PROPOSED~~
ORDER TO STAY DISCOVERY
PENDING RULING ON MOTION TO
CONSOLIDATE

FIRST REQUEST

1 Plaintiff/Counter-Defendant, Nevada Sand Castles, LLC (“Nevada Sand Castles”),
2 Defendant Green Tree Servicing LLC, now known as Ditech Financial LLC,
3 Intervenor/Counterclaimant, Federal National Mortgage Association (“Fannie Mae”), and
4 Intervenor/Counterclaimant, Federal Housing Finance Agency (“FHFA”), by and through their
5 attorneys of record, submit the following stipulation for the Court’s review and approval.

6 **WHEREAS**, the Court granted the parties’ stipulation to entry of order and entered its
7 order permitting Fannie Mae and FHFA to intervene in this action on January 13, 2016. (Dkt.
8 28.)

9 **WHEREAS**, on February 12, 2016, Fannie Mae and FHFA filed a Motion to Consolidate
10 this action with a defendants’ class action that Fannie Mae, FHFA, and the Federal Home Loan
11 Mortgage Corporation (“Freddie Mac,” and with Fannie Mae, the “Enterprises”) have filed in
12 this District, *FHFA v. SFR Investments Pool 1, LLC*, No. 2:15-cv-1338-GMN-CWH (D. Nev.)
13 (“Putative Class Action”). (Dkt. 30.)

14 **WHEREAS**, the purpose of the Motion to Consolidate, and of similar motions filed or to
15 be filed in other related actions, is to facilitate the efficient management of a growing number of
16 related cases that, despite minor, non-dispositive factual differences, all turn on the same
17 dispositive legal issue: whether a homeowner’s association foreclosure sale conducted under
18 Nev. Rev. Stat. § 116.3116(2) (“HOA Sale”) may extinguish the Enterprises’ property interests.

19 **WHEREAS**, Nevada Sand Castles consents to the Motion to Consolidate.

20 **WHEREAS**, until the Court decides the Motion to Consolidate, the parties agree to stay
21 discovery, including the conference, discovery plan and report required by Rule 26(f) of the
22 Federal Rules of Civil Procedure (“FRCP”) and Rule 26-1(d) of the Local Rules of Practice for
23 the United States District Court for the District of Nevada (“LR”), and the initial disclosures
24 required by FRCP 26(a).

25 **WHEREAS**, the parties agree that the interests of efficiency and judicial economy
26 would be served by consolidation of this action with the Putative Class Action. The efficiencies
27 to this Court and to the parties would be diminished if the parties were required to pursue
28 discovery while the Motion to Consolidate is pending.

1 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and among
2 the parties, through their undersigned counsel, that all discovery is stayed pending a ruling on the
3 Motion to Consolidate.

4 **IT IS FURTHER STIPULATED AND AGREED** that this Stipulation is entered into
5 in good faith and not for the purposes of delay, and is not intended to waive any of the
6 substantive or procedural right of the parties. The parties have not previously requested any stay
7 of discovery.

8 DATED this 12th day of February, 2016.

9 **WOLFE & WYMAN LLP**

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ORDER

 IT IS SO ORDERED.



 UNITED STATES MAGISTRATE JUDGE

 DATED: 2-16-2016