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 8 Grand Sierra Resort Unit-Owners' Association

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 WELLS FARGO BANK, N.A., TRUSTEE
 12 FOR THE CERTIFICATEHOLDERS OF
 BANK OF AMERICA FUNDING
 13 CORPORATION MORTGAGE PASS
 THROUGH CERTIFICATES, SERIES
 14 2007-5,

15 Plaintiff,

16 vs.

17 MEI-GSR HOLDINGS, LLC; GRAND
 18 SIERRA RESORT UNIT-OWNERS'
 ASSOCIATION; DOE INDIVIUTALS 1
 19 through 10, inclusive, and ROE
 20 CORPORATIONS 1 through 10, inclusive,

21 Defendants.

Case No.: 2:15-cv-00654-GMN-CWH

22 **STIPULATION AND [PROPOSED] ORDER
TO EXTEND THE TIME TO RESPOND**

(Second Request)

23 Plaintiff WELLS FARGO BANK, N.A and Defendants MEI-GSR HOLDINGS, LLC;
 24 GRAND SIERRA RESORT UNIT-OWNERS' ASSOCIATION, by and through their respective
 25 counsel of record, have agreed to extend the time to respond to Plaintiff's Second Amended
 26 Complaint, and the time to respond to Plaintiff's motion for summary judgment. These
 27 extensions are requested in good faith in order to provide time for this Court to rule on
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1 Defendants' motion for stay which was filed on February 15, 2018, which has now been fully
2 brief.

3 As this Court is aware, this case had been previously stayed pending the final
4 resolution of the petition for writ certiorari to the United States Supreme Court in Bourne Valley
5 Court Trust v. Wells Fargo Bank, which was ultimately lifted on October 18, 2017. This Court,
6 however, certified the following question to the Nevada Supreme Court: "Whether NRS §
7 116.31168(1)'s incorporation of NRS § 107.090 required a homeowner's association to provide
8 notices of default and/or sale to persons or entities holding a subordinate interest even when such
9 persons or entities did not request notice, prior to the amendments that took effect on Oct 1,
10 2015?" See Bank of New York Mellon v. Star Hill Homeowners Ass'n, Case No. 2:16-CV-02561-
11 RFB-PAL, 2017 WL 1439671, at *5 (D. Nev. Apr. 21, 2017). In an Order filed June 13, 2017,
12 the Nevada Supreme Court accepted this certified question. See SFR Investment Pool 1, LLC v.
13 Bank of New York Mellon, Case No. 72931, Order Accepting Certified Question, Directing
14 Briefing, and Directing Submission of Filing Fee, at *1 (Nev. June 13, 2017).

15 While the final reply brief in SFR Investment Pool 1, Case No. 72931 was filed on
16 November 28, 2017, the Nevada Supreme Court has not yet answered the certified question and
17 this Court has not yet ruled on Defendants' motion to stay. The parties have agreed to extend the
18 time to respond to Plaintiffs' newly amended complaint and newly filed motion for summary
19 judgment in order to afford this Court adequate time to consider Defendants' motion for stay.
20 Accordingly, based on the foregoing and for good cause appearing, the Parties, by and through
21 their respective counsel of record, do hereby stipulate and agree as follows:

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1. The time for Defendants MEI-GSR Holdings, LLC and Grand Sierra Resort Unit-Owners' Association to respond to Plaintiff's Second Amended Complaint and motion for summary judgement shall be extended and are now due on Monday, April 30, 2018.

Dated this 16th day of April 2018.

Dated this 16th day of April 2018.

COHEN|JOHNSON|PARKER|EDWARDS

AKERMAN LLP

By: /s/ H. Stan Johnson

By: /s/ Rex D. Garner

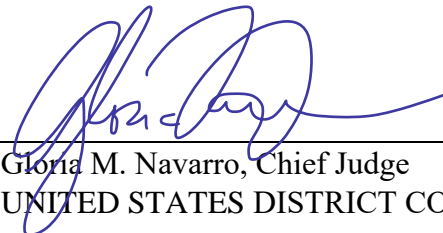
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ORDER

IT IS SO ORDERED.

DATED this 19 day of April, 2018.



Gloria M. Navarro, Chief Judge
UNITED STATES DISTRICT COURT