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7 Attorneys for Bank of America, N.A.

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

11 BANK OF AMERICA, N.A., successor by  
 merger to BAC HOME LOANS SERVICING  
 12 LP FKA COUNTRYWIDE HOME LOANS  
 SERVICING, LP,

13 Plaintiff,

14 v.

15 CACTUS CREEK AT MOUNTAIN'S EDGE  
 16 HOMEOWNERS' ASSOCIATION, INC.;  
 PREMIER ONE HOLDINGS, INC.; TICOR  
 17 TITLE COMPANY, as Trustee; THL  
 FAMILY INVESTMENT LLC; DOE  
 18 INDIVIDUALS I-X, inclusive, and ROE  
 CORPORATIONS I-X, inclusive,

19 Defendants.  
 20

Case No.: 2:15-cv-01731-APG-BNW

**STIPULATION AND ORDER FOR LEAVE  
 TO FILE AMENDED COMPLAINT AND  
 TO EXTEND THE DEADLINE TO FILE  
 DISPOSITIVE MOTIONS**

**[FIRST REQUEST]**

21 AND ALL RELATED CLAIMS

22 Plaintiff Bank of America, N.A. (**BANA**) and defendants Cactus Creek at Mountain's Edge  
 23 Homeowners' Association, Inc. (**Cactus Creek**) and Premier One Holdings, Inc. (**Premier**) stipulate  
 24 and agree as follows:

25 1. On September 9, 2014, BANA filed its complaint against Cactus Creek and Premier  
 26 for quiet title/declaratory judgment, breach of NRS 116.1113, wrongful foreclosure, and injunctive  
 27 relief. (ECF No. 1.)

28 2. On October 5, 2015, Premier filed its answer and counterclaim against BANA. (ECF

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1 No. 12.)

2 3. On October 26, 2015, BANA answered Premier's counterclaim. (ECF No. 14.)

3 4. On Decmeber 11, 2015, Cactus Creek filed its answer and crossclaim against Nevada  
4 Association Services, Inc.(NAS). (ECF No. 25.)

5 5. On January 27, 2016, NAS filed its answer, third party complaint, and counterclaim  
6 against Cactus Creek. (ECF No. 30.)

7 6. On February 12, 2016, Cactus Creek answered NAS's third party complaint and  
8 counterclaim. (ECF No. 32.)

9 7. On May 2, 2016, BANA moved for summary judgment. (ECF No. 38.)

10 8. On August 18, 2016, the court denied BANA's motion for summary judgment  
11 without prejudice and stayed the case until the Ninth Circuit issued its mandate in Bourne Valley  
12 Court Trust v. Wells Fargo Bank. (ECF No. 51.)

13 9. On September 10, 2019, the court granted BANA's motion to lift the stay. (ECF Nos.  
14 58-59.)

15 10. On October 29, 2019, the court granted the parties stipulated discovery plan and  
16 scheduling order setting a new dispositive motions deadline of December 18, 2019. (ECF No. 61.)

17 11. The parties stipulate and agree to allow BANA to file the amended complaint deleting  
18 its Supremacy Clause arguments, clarifying its tender allegations, and updating the  
19 defendant/purchaser attached as Exhibit A within 14 days of the order granting this stipulation.

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1 12. The parties further stipulate and agree the parties shall have until January 17, 2020 to  
2 file dispositive motions.

3 Dated: December 18, 2019.

4  
5 **AKERMAN LLP**

**LEACH KERN GRUCHOW ANDERSON SONG**

6  
7 /s/ Donna M. Wittig  
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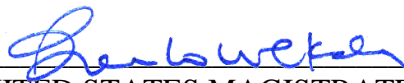
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15 **MORRIS LAW CENTER**

16  
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24 Attorneys for Premier One Holdings, Inc.

25 **IT IS SO ORDERED.**

26   
27 \_\_\_\_\_  
28 UNITED STATES MAGISTRATE JUDGE

12/19/2019

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DATED