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11 *Attorneys for Plaintiff, The Bank of New York Mellon FKA The Bank of New York, as Trustee for*  
 12 *the Certificateholders of CWALT, Inc., Alternative Loan Trust 2006-OA3, Mortgage Pass-*  
 13 *Through Certificates, Series 2006-OA3*

14 **UNITED STATES DISTRICT COURT**  
 15 **DISTRICT OF NEVADA**

16 THE BANK OF NEW YORK MELLON FKA  
 17 THE BANK OF NEW YORK, AS TRUSTEE  
 18 FOR THE CERTIFICATEHOLDERS OF  
 19 CWALT, INC., ALTERNATIVE LOAN  
 20 TRUST 2006-OA3, MORTGAGE PASS-  
 21 THROUGH CERTIFICATES, SERIES 2006-  
 22 OA3, a Delaware Corporation,

Case No.: 2:16-cv-00050-GMN-GWF

**STIPULATION AND ORDER TO STAY  
 LITIGATION PENDING A DECISION ON  
BOURNE VALLEY**

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a Nevada  
 Limited Liability Company,

Defendants.

Plaintiff, The Bank of New York Mellon FKA The Bank of New York, as Trustee for the  
 Certificateholders of CWALT, Inc., Alternative Loan Trust 2006-OA3, Mortgage Pass-Through  
 Certificates, Series 2006-OA3 (hereinafter “BONY”), and Defendant, SFR Investments Pool 1,  
 LLC (hereinafter “SFR”), by and through their respective counsels of record, hereby stipulate  
 and agree as follows:

1. This lawsuit involves the parties seeking quiet title/declaratory relief and other claims related to a non-judicial homeowner’s foreclosure sale conducted on a Property



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- 4. The current discovery deadlines are as followed:
  - a. Deadline to Complete Discovery: 12-26-2016
  - b. Deadline to Disclose Experts: 10-27-2016
  - c. Deadline to Disclose Rebuttal Experts: 11-28-2016
  - d. Deadline to File Dispositive Motions: 1-25-2017
  - e. Deadline to Submit Pre-Trial Order: 2-24-2017
- 5. The parties will submit a new Proposed Discovery Plan and Scheduling Order within thirty (30) days after a resolution of Bourne Valley is entered by the Ninth Circuit.

DATED this 28th day of September, 2016.

DATED this 6th day of October, 2016.

**WRIGHT, FINLAY & ZAK, LLP**

**KIM GILBERT EBRON**

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1 **ORDER**

2 **IT IS HEREBY ORDERED** that this case is administratively **STAYED** pending  
3 exhaustion of all appeals of *Bourne Valley Court Trust v. Wells Fargo Bank*, No. 15-15233 (9th  
4 Cir. Aug. 12, 2016). Once exhaustion occurs, any party may move to lift the stay. Until that  
5 time, all proceedings in this action are stayed.

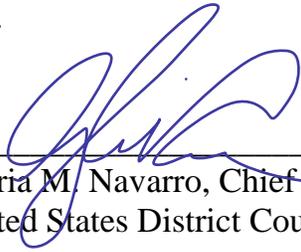
6 **IT IS FURTHER ORDERED** that all pending motions are **DENIED** without prejudice  
7 with leave to refile within twenty-one days after the stay is lifted.

8 **IT IS FURTHER ORDERED** that current occupant, SFR Investments Pool 1, LLC  
9 (“SFR”), who purchased the Property at the HOA foreclosure sale, shall care for, preserve, and  
10 maintain the Property.

11 **IT IS FURTHER ORDERED** that, beginning on April 18, 2017, the parties must file a  
12 joint status report updating the Court on the status of this case every one-hundred and eighty  
13 days. Along with the joint status report, SFR shall submit a statement affirming that all  
14 expenses necessary to maintain the property, including but not limited to, timely and full  
15 payment of all homeowners association assessments, property taxes, and property insurance  
16 premiums due and owing or past due at any time during the effective period of this Stay are  
17 current and up to date.

18 **IT IS FURTHER ORDERED** that this Order does not prevent the parties from  
19 continuing to engage in settlement conference negotiations with the assistance of the Magistrate  
20 Judge.

21 **DATED** this 17 day of October, 2016.

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25 Gloria M. Navarro, Chief Judge  
United States District Court