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

10 WILMINGTON TRUST COMPANY, AS  
 11 TRUSTEE FOR THE BEAR STEARNS ALT-  
 A TRUST, MORTGAGE PASS-THROUGH  
 12 CERTIFICATES SERIES 2007-1,

Case No. 2:16-cv-00326-RFB-PAL

**STIPULATION AND ORDER TO STAY  
 DISPOSITIVE MOTIONS DEADLINE**

13 Plaintiff,

14 vs.

**(First Request)**

15 SFR INVESTMENTS POOL 1, LLC, a  
 Nevada limited liability company; CLUB AT  
 16 MADEIRA CANYON UNIT OWNERS'  
 ASSOCIATION; DOES I through X,  
 17 inclusive; and ROW CORPORATIONS I  
 through X, inclusive,

18 Defendants.

19 SFR INVESTMENTS POOL 1, LLC, a  
 Nevada limited liability company,

20 Counter-Claimant,

21 vs.

22 WILMINGTON TRUST COMPANY, AS  
 TRUSTEE FOR THE BEAR STEARNS  
 23 ALT-A TRUST, MORTGAGE PASS-  
 THROUGH CERTIFICATES SERIES 2007-  
 24 1; NATIONSTAR MORTGAGE, LLC, a  
 Delaware limited liability company;  
 MORTGAGE ELECTRONIC  
 25 REGISTRATION SYSTEMS, INC., a  
 Delaware corporation, as nominee beneficiary  
 26 for PULTE MORTGAGE, LLC; HAMLET  
 McNEACE, an individual; and SHAWN  
 27 McNEACE, an individual,

28 Counter-Defendant/Cross-Defendants.

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1 WHEREAS Plaintiff/Counter-Defendant, WILMINGTON TRUST COMPANY, AS  
2 TRUSTEE FOR THE BEAR STEARNS ALT-A TRUST, MORTGAGE PASS-THROUGH  
3 CERTIFICATES SERIES 2007-1 (the “Bank”) filed a Motion to Amend Complaint and Caption  
4 on September 12, 2016 [ECF No. 35]; and

5 WHEREAS an Order regarding Plaintiff’s Motion to Amend Complaint and Caption [ECF  
6 No. 35] has not yet been entered;

7 **IT IS HEREBY STIPULATED** between the Bank, Counter-Defendant NATIONSTAR  
8 MORTGAGE, LLC (“Nationstar”), Counter-Defendant MORTGAGE ELECTRONIC  
9 REGISTRATION SYSTEMS, INC. (“MERS”) and Defendant/Counterclaimant SFR  
10 INVESTMENTS POOL 1, LLC (“SFR”) (collectively “the Parties”), by and through their  
11 undersigned counsel, to extend and stay the dispositive motions deadline in this matter. As  
12 grounds therefore, the parties state as follows:

- 13 1. Discovery in this case closed on December 12, 2016. [ECF No. 34], 3:5-7. The dispositive  
14 motions deadline is currently January 9, 2017. *Id.*, at 3:27-28.
- 15 2. The Bank filed a Motion to Amend Complaint and Caption on September 12, 2016 (“Bank  
16 Mot.) [ECF No. 35]. No opposition has been filed and the Bank filed a Notice of Non-  
17 Opposition to Plaintiff’s Motion to Amend Complaint and Caption on October 27, 2016  
18 [ECF No. 37].
- 19 3. The Bank Mot. seeks to add Nevada Association Services, Inc. (“NAS”) as a party and the  
20 proposed Plaintiff’s First Amended Complaint (“Amended Complaint”) modifies the  
21 Causes of Action against the existing parties. [ECF No. 35-1.]
- 22 4. Because the Court has not yet entered an Order regarding the Bank Mot. and, if granted,  
23 the proposed Amended Complaint, which will impact the briefing on the parties respective  
24 dispositive motions, will not be filed until after the current January 9, 2017 dispositive  
25 motion deadline, good cause exists to extend the dispositive motions deadline.
- 26 5. Additionally pending before this Court is SFR’s motion to certify the question of law  
27 regarding the statutory interpretation of NRS 116.31168 to the Nevada Supreme Court.  
28 [ECF No. 38.] If this Court grants the motion to certify and the Nevada Supreme Court

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1 accepts the question, then the legal analysis for the arguments in the dispositive motion  
2 may be significantly affected.  
3 6. This is the parties' first request for an extension and is not intended to cause any delay or  
4 prejudice to any party.  
5 7. Accordingly, the parties stipulate and respectfully request the court stay the dispositive  
6 motions deadline to allow sufficient time for the court to rule on the pending Bank Mot.  
7 and Motion to Certify. Once the Court rules on the pending motions, within 14 days the  
8 parties will file a Joint Status Report with a new proposed plan with (1) new discovery  
9 dates based on the addition of a new party dates; (2) new dates for the dispositive motions  
10 deadline; and/or (3) proposed stay pending resolution of the certified question. , if  
11 necessary, new discovery dates based on the addition of a new party, or a request for stay  
12 pending a decision by the Nevada Supreme Court.

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1 8. Notwithstanding the foregoing, the stay shall not affect the right of any party to file  
2 dispositive motions solely on the legal effect of *Bourne Valley Court Trust v. Wells Fargo*  
3 *Bank, N.A.*, 832 F.3d 1154 (9th Cir. 2016).

4  
5 DATED this 6th day of January, 2017.

6 **KIM GILBERT EBRON**

7 /s/Jacqueline A. Gilbert  
8 Diana Cline Ebron, Esq.  
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DATED this 6th day of January, 2017.

**WRIGHT, FINLAY & ZAK, LLP**

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Trustee for the Bear Stearns ALT-A Trust,  
Mortgage Pass-Through Certificates, Series  
2007-1, Nationstar Mortgage LLC and  
Mortgage Electronic Registration Systems,  
Inc.*

**ORDER**

**IT IS SO ORDERED.**

DATED this 9th day of January, 2017.

  
UNITED STATES MAGISTRATE JUDGE

*Respectfully submitted by:*

**KIM GILBERT EBRON**

/s/Jacqueline A. Gilbert  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 6th day of January 2017, pursuant to FRCP 5, I served via the CM-ECF electronic filing system the foregoing **STIPULATION AND ORDER TO STAY DISPOSITIVE MOTIONS DEADLINE** to the following parties:

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*/s/ Jacqueline A. Gilbert*  
An Employee of Kim Gilbert Ebron