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 York as Trustee for the Certificateholders of CWABS, Inc., Asset-Backed  
 8 Certificates, Series 2005-3

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

11 THE BANK OF NEW YORK MELLON FKA  
 12 THE BANK OF NEW YORK AS TRUSTEE  
 FOR THE CERTIFICATEHOLDERS OF  
 13 CWABS INC., ASSET-BACKED  
 CERTIFICATES, SERIES 2005-3,

Case No.: 2:16-cv-00416-JCM-GWF

14 Plaintiff,

**STIPULATION AND ORDER TO STAY  
 RULE 30(B)(6) DEPOSITION OF BNY  
 MELLON**

15 vs.

16 CASTLE BAY SHORE VILLAGE OF LOS  
 PRADOS HOMEOWNERS ASSOCIATION  
 17 A/K/A CASTLE BAY SHORE COMMUNITY  
 ASSOCIATION, INC.; NEVADA  
 18 ASSOCIATION SERVICES, INC.; AND  
 NEVADA NEW BUILDS, LLC,

19 Defendants.

21 NEVADA NEW BUILDS, LLC,

22 Counterclaimant,

23 vs.

24 THE BANK OF NEW YORK MELLON FKA  
 THE BANK OF NEW YORK AS TRUSTEE  
 25 FOR THE CERTIFICATEHOLDERS OF  
 CWABS INC., ASSET-BACKED  
 26 CERTIFICATES, SERIES 2005-3,

27 Counterdefendant.

**AKERMAN LLP**

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1 Plaintiff The Bank of New York Mellon f/k/a the Bank of New York, as Trustee for the  
 2 Certificateholders CWALT, Inc., Alternative Loan Trust 2006--6CB, Mortgage Pass-Through  
 3 Certificates, Series 2006-6CB (**BNY Mellon**) and Castle Bay Shore Village of Los Prados  
 4 Homeowners Association a/k/a Castle Bay Shore Community Association (collectively, the **parties**)  
 5 file this stipulation to stay the deposition of BNY Mellon's rule 30(b)(6) witness.

6 **I. REASON WHY EXTENSION IS REQUIRED.**

7 Discovery closes on November 2, 2016. [ECF No. 31]. Good cause exists to stay the  
 8 deposition and extend the discovery period and the deadline to file dispositive motions solely to  
 9 accommodate the stayed deposition of BNY Mellon. The deposition of BNY Mellon's corporate  
 10 representative was scheduled for November 1, 2016; however, a dispute arose between the parties as  
 11 to the proposed deposition topics and location. The parties extensively met and conferred on the  
 12 issues, but were unable to reach resolution. Given these issues have already been briefed and are  
 13 pending before Magistrate Judge Foley in the form of four motions for protective order, the parties  
 14 agreed to stay the deposition pending the resolution of those motions.<sup>1</sup>

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26 <sup>1</sup> See Bank of Am., N.A. v. Azure Manor/Rancho de Paz Homeowners Assoc., et al., civil case no. 2:16-cv-  
 27 00764-GMN-GWF (D. Nev.); Bank of Am., N.A. v. Sonrisa Homeowners Assoc., et al., civil case no. 2:16-cv-  
 28 00848-JCM-GWF (D. Nev.); Nationstar Mortg. LLC v. Green Valley South Owners Assoc. No. 1, et al., civil  
 case no. 2:16-cv-00883-GMN-GWF (D. Nev.); Bank of Am., N.A. v. Aliante Master Assoc., et al., civil case  
 no. 2:16-cv-00591-GMN-GWF (D. Nev.).

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By so agreeing, the parties seek to avoid the unnecessary expenditure of judicial resources and fees concomitant with re-briefing issues already before the court. The parties further agree that within ten (10) days of resolution of the pending motions for protective order, they will meet and confer regarding the topics and location of the deposition. Lastly, the parties agree that dispositive motions are due thirty (30) days after the completion of the deposition.

DATED this 2<sup>nd</sup> day of November, 2016.

<p><b>WILSON ELSER MOSKOWITZ EDELMAN &amp; DICKER LLP</b></p> <p><u>/s/ I-Che Lai</u>  <b>JORGE A. RAMIREZ, ESQ.</b>  Nevada Bar No. 6787  <b>I-CHE LAI, ESQ.</b>  Nevada Bar No. 12247  300 South Fourth Street, 11<sup>th</sup> Floor  Las Vegas, NV 89101</p> <p>Attorneys for Defendant Castle Bay Shore Village of Los Prados Homeowners Association</p>	<p><b>AKERMAN LLP</b></p> <p><u>/s/ Tenesa S. Scaturro</u>  <b>MELANIE D. MORGAN, ESQ.</b>  Nevada Bar No. 8215  <b>TENESA S. SCATURRO, ESQ.</b>  Nevada Bar No. 12488  1160 Town Center Drive, Suite 330  Las Vegas, Nevada 89144</p> <p>Attorneys for Plaintiff Bank of America, N.A.</p>
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**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE

DATED: \_\_\_November 4, 2016\_\_\_