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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 BANK OF AMERICA, N.A.,

Case No.: 2:16-cv-00656-RFB-DJA

12 Plaintiff,

**NOTICE OF SETTLEMENT AND
STIPULATION AND ORDER TO
EXTEND STAY OF LITIGATION**

13 vs.

14 MADEIRA CANYON HOMEOWNERS'
ASSOCIATION; NEVADA ASSOCIATION
15 SERVICES, INC.; and SFR INVESTMENTS
POOL 1, LLC,

16 Defendants.

17 SFR INVESTMENTS POOL 1, LLC, a
18 Nevada limited liability company,

19 Counterclaimant/Cross-Claimant,

20 vs.

21 BANK OF AMERICA, N.A.; and NEIL R.
KING, an individual,

22 Counter-Defendant/Cross-Defendant.
23

24 PLEASE TAKE NOTICE that Bank of America, N.A. ("BANA") and SFR Investments
25 Pool 1, LLC ("SFR") have reached a global settlement in principal on multiple properties,
26 including the Property at issue in this case. The settlement will resolve all claims between BANA
27 and SFR.
28

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1 BANA and SFR have agreed to stay the litigation for ninety (90) days to allow additional
2 time to finalize settlement. This will also provide an opportunity for BANA to discuss the
3 potential for settlement as to its claims against Madeira Canyon Homeowners Association (the
4 “Association”).

5 Accordingly, BANA, SFR and the Association (collectively the “Parties”) are submitting
6 the instant Stipulation and Order seeking to extend the already existing stay of litigation in this
7 matter.

8 Pursuant to a Minute Order in Chambers issued on October 17, 2019, this case was
9 administratively stayed pending the result of the Nevada Supreme Court’s order of en banc
10 reconsideration in the case Bank of America, N.A. v. Thomas Jessup, LLC Series VII. [ECF No.
11 63.] The Minute Order set a deadline of 30 days after the stay was lifted for refiling dispositive
12 motions. [ECF No. 63.] The Nevada Supreme Court issued its Order of en banc reconsideration
13 on May 7, 2020. Bank of America, N.A. v. Thomas Jessup, LLC Series VII, 462 P.3d 255 (Nev.
14 2020) (unpublished disposition), thereby resolving that issue. While the issuance of the Order did
15 not automatically lift the stay in this case, in an abundance of caution, the Parties hereby stipulate
16 to vacate the dispositive motion deadline set by the Court’s October 7, 2019, Order, and stipulate
17 to extend the stay of litigation for ninety (90) days to allow additional time to finalize settlement.

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1 The Parties further request the court set a deadline for filing a status report regarding the
2 settlement for ninety (90) days from entry of this Stipulation and Order. This request to stay is
3 being made in the interest of preserving judicial resources and, as set forth above, to allow
4 additional time to finalize settlement. The Parties reserve the right to move to lift the stay and
5 reinstate deadlines before the ninety (90) days if any of them choose to do so.

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| <p>6 DATED this 5th day of June, 2020.</p> <p>7 KIM GILBERT EBRON</p> <p>8 <u>/s/ Jacqueline A. Gilbert</u></p> <p>9 JACQUELINE A. GILBERT, ESQ. Nevada Bar No. 10593 7625 Dean Martin Drive, Suite 110 Las Vegas, Nevada 89139 E-mail: jackie@kgelegal.com Attorneys for SFR Investments Pool 1, LLC</p> | <p>DATED this 5th day of June, 2020.</p> <p>AKERMAN LLP</p> <p><u>/s/ Holly E. Walker</u></p> <p>DARREN T. BRENNER, ESQ. Nevada Bar No. 8386 HOLLY E. WALKER, ESQ. Nevada Bar No. 14295 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134 E-mail: darren.brenner@akerman.com E-mail: holly.walker@akerman.com Attorneys for Bank of America, N.A.</p> |
| | <p>DATED this 5th day of June, 2020.</p> <p>LIPSON NEILSON P.C.</p> <p><u>/s/ Amber M. Williams</u></p> <p>J. WILLIAM EBERT, ESQ. Nevada Bar No. 2697 AMBER M. WILLIAMS, ESQ Nevada Bar No. 12301 9900 Covington Cross Drive, Suite 120 Las Vegas, Nevada 89144 E-mail: bebert@lipsonneilson.com E-mail: awilliams@lipsonneilson.com Attorneys for Madeira Canyon Homeowners Association</p> |

23 **ORDER**

24 IT IS SO ORDERED.

25 

26 RICHARD F. BOULWARE, II
27 UNITED STATES DISTRICT JUDGE

28 DATED this 11th day of June, 2020.