

1 MELANIE D. MORGAN, ESQ.
 Nevada Bar No. 8215
 2 JAMIE K. COMBS, ESQ.
 Nevada Bar No. 13088
 3 AKERMAN LLP
 1635 Village Center Circle, Suite 200
 4 Las Vegas, Nevada 89134
 Telephone: (702) 634-5000
 5 Facsimile: (702) 380-8572
 Email: melanie.morgan@akerman.com
 6 Email: jamie.combs @akerman.com

7 *Attorneys for plaintiff Bank of America, N.A.*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

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

12 Plaintiff,

13 vs.

14 THE WILLOWS HOMEOWNERS'
 15 ASSOCIATION; ABSOLUTE COLLECTION
 SERVICES, LLC; SFR INVESTMENTS POOL
 16 1, LLC,

17 Defendants.

18 SFR INVESTMENTS POOL 1, LLC,

19 Counter/Cross Claimant,

20 vs.

21 BANK OF AMERICA, N.A., successor by
 merger to BAC HOME LOANS SERVICING,
 22 LP FKA COUNTRYWIDE HOME LOANS
 SERVICING, LP; PATTY HART, an individual;
 23 JOHN HART, an individual; and NEVA MUNN,
 an individual,

24 Counter/Cross Defendants.

Case No.: 2:16-cv-00678-APG-DJA

**STATUS REPORT AND REQUEST TO
CONTINUE STAY OF PROCEEDINGS
DUE TO SETTLEMENT**

26 Plaintiff Bank of America, N.A. files this status report and request to continue the stay
 27 proceedings for an additional 90 days pursuant to the court's August 28, 2020 order, ECF No. 90. In
 28 support of this request, BANA states as follows:

AKERMAN LLP

1635 VILLAGE CENTER CIRCLE, SUITE 200
LAS VEGAS, NEVADA 89134
TEL.: (702) 634-5000 – FAX: (702) 380-8572

1 This property that is the subject of this matter is part of a more global settlement between
2 BANA and SFR, involving scores of properties pending in this court as well as other courts in Nevada
3 and the Ninth Circuit.

4 On March 2, 2020, the parties filed a joint motion to extend the dispositive motion deadline,
5 representing that a settlement agreement had been reached and executed between BANA and SFR,
6 while noting that an extension was needed to allow performance of a condition precedent to the
7 settlement. ECF No. 78. The court granted the order, extending the dispositive motion deadline to
8 June 1, 2020. ECF No. 80.

9 On March 31, 2020, the parties stipulated to stay litigation for 90 days to allow the condition
10 precedent to be performed and the settlement finalized. ECF No. 81. The court granted the motion,
11 and requested the parties file a status report or stipulation by June 15, 2020. ECF No. 82.

12 Due to an oversight on counsel's part for Bank of America, the parties failed to file their status
13 report by June 15, 2020, and the court dismissed the litigation. ECF No. 83. Counsel for BANA filed
14 a motion to set aside the dismissal, which the court granted. ECF No. 84, 85. In the court's order
15 granting the motion to set aside the dismissal, it ordered the parties to file a stipulation or status report
16 by August 28, 2020. ECF No. 85.

17 BANA subsequently stipulated to dismiss the HOA pursuant to a separate settlement
18 agreement ECF No. 86, 87.

19 BANA and SFR filed a status report on August 28, 2020 and asked that the court stay the
20 litigation for 90 days, through November 30, 2020, to allow them additional time to complete their
21 settlement agreement. ECF No. 89. The court granted the stipulation the same day. ECF NO. 90.

22 While the parties continue to make progress under the settlement agreement, unfortunately,
23 due to the ongoing COVID-19 pandemic, additional time is needed for a condition precedent to be
24 completed under the settlement agreement as it relates to the property that is the subject of this lawsuit.

25 BANA therefore requests the court continue to stay this matter for another 90 days, until March
26 1, 2021.¹

27
28

¹ 90 days lands on Sunday, February 28, 2021.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: November 30, 2020.

AKERMAN LLP

/s/ Jamie K. Combs, Esq.

MELANIE D. MORGAN, ESQ.
Nevada Bar No. 8215
JAMIE K. COMBS, ESQ.
Nevada Bar No. 13088
1635 Village Center Circle, Suite 200
Las Vegas, Nevada 89134

Attorneys for plaintiff Bank of America, N.A.

IT IS SO ORDERED that litigation will remain stayed until March 1, 2021. The parties shall file a stipulation or status report on or before March 1, 2021.

DATE: December 1, 2020



UNITED STATES DISTRICT JUDGE
Case No.: 2:16-cv-00678-APG-DJA

AKERMAN LLP

1635 VILLAGE CENTER CIRCLE, SUITE 200
LAS VEGAS, NEVADA 89134
TEL.: (702) 634-5000 – FAX: (702) 380-8572