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 Bank of America, N.A.

8  
 9 **UNITED STATES DISTRICT COURT**  
 10 **DISTRICT OF NEVADA**

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

13 Plaintiff,

14 vs.

15 TRAVATA and MONTAGE AT SUMMERLIN  
 CENTRE HOMEOWNERS' ASSOCIATION;  
 16 NEVADA ASSOCIATION SERVICES, INC.;;  
 and SFR INVESTMENTS POOL 1, LLC,  
 17

Defendants.

18 SFR INVESTMENTS POOL 1, LLC, a Nevada  
 Limited liability company,

19 Counter/Cross claimant,

20 vs.

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 22 BANK OF AMERICA, N.A., SUCCESSOR BY  
 MERGER TO BAC HOME LOANS  
 23 SERVICING, LP FKA COUNTRYWIDE HOME  
 LOANS SERVICING, LP; PHILLIP  
 24 LIEBMANN, an individual; and LORRI  
 LIEBMANN, an individual,

25 Counter/ Cross Defendants.

Case No.: 2:16-cv-00699-GMN-PAL

**STIPULATION AND ORDER TO EXTEND  
 DISPOSITIVE MOTIONS DEADLINE  
 PENDING RULING ON MOTION FOR  
 PROTECTIVE ORDER**

**[FIRST REQUEST]**

26 Plaintiff and counter-defendant Bank of America, N.A., successor by merger to BAC Home  
 27 Loan Servicing, LP (**BANA**), defendant Travata and Montage at Summerlin Centre Homeowners'  
 28 Association and defendant, counter- and cross-claimant SFR Investments Pool 1, LLC stipulate to

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1 extend the dispositive motions deadline until seventy five (75) days after the Court enters an order on  
2 BANA's motion for protective order, ECF No. 59, as follows:

3 1. BANA filed its complaint on March 30, 2016 asserting a quiet title/declaratory  
4 judgment claim against all defendants, breach of NRS 116.1113 and wrongful foreclosure claims  
5 against Travata and Montage at Summerlin Centre Homeowners' Association, and an injunction claim  
6 against SFR. (ECF No. 1.)

7 2. The Court entered an initial discovery plan and scheduling order on July 21, 2016  
8 setting a December 22, 2016 dispositive motions deadline. (ECF No. 36.)

9 3. The Court administratively stayed this case pending exhaustion of all appeals in Bourne  
10 Valley Court Trust v Wells Fargo Bank, N.A., Ninth Cir. Case No. 15-15233 on September 27, 2016.  
11 (ECF No. 45.) The case remained stayed until November 7, 2017. (ECF No. 53.)

12 4. The parties subsequently filed an amended discovery plan and scheduling order on  
13 November 30, 2017, setting a March 22, 2018 discovery cut-off and April 23, 2018 dispositive  
14 motions deadline. (ECF No. 55.) The Court approved the amended discovery plan. (ECF No. 55.)

15 5. SFR noticed BANA's deposition on January 29, 2018. (ECF No. 59-1 at 13.) BANA  
16 initially disputed seven of the thirteen noticed topics. The parties resolved their dispute regarding  
17 four, and BANA moved for a protective order regarding the remaining three on February 26, 2018.  
18 (ECF No. 59.) The briefing likely will not be completed before March 19, 2018. SFR has agreed to  
19 hold BANA's deposition in abeyance pending a ruling.

20 6. To allow time for the Court to rule on BANA's motion for protective order, ECF No.  
21 59, SFR to complete BANA's deposition after the Court makes its ruling, and to avoid Rule 56(d)  
22 motions, the parties stipulate to extending the dispositive motions deadline until seventy five (75) days  
23 from the date the Court enters an order on BANA's motion for protective order, ECF No. 59. The  
24 parties further stipulate SFR shall have forty five (45) days to complete BANA's deposition after the  
25 Court enters an order. The parties select these deadlines to allow sufficient time to coordinate a  
26 deposition after the Court rules and obtain transcripts before filing dispositive motions.

27 7. The parties do not file this stipulation with the intent to delay, but instead to streamline  
28 the anticipated summary judgment briefing and avoid Rule 56(d) motions.

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8. This is the parties' first request to extend the dispositive motions deadline.

This the 28th day of February, 2018.

This the 27th day of February, 2018.

**AKERMAN LLP**

**KIM GILBERT EBRO**

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This the 27th day of February, 2018.

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**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE

DATED: April 19, 2018